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Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION
12

13 JULIE ASHE,
14 Plaintiff,
15 vs.
16 CAROLYN W. COLVIN,
Acting Commissioner of Social Security,
17 Defendant,

CASE NO.: 5:15-CV-6047-PSG

STIPULATION AND ~~PROPOSED~~ ORDER

18
19 IT IS HEREBY STIPULATED by and between the parties, through their assigned counsel,
20 subject to the Court's approval, that plaintiff be awarded attorney fees and expenses under the Equal
21 Access to Justice Act, (EAJA) in the amount of TWO THOUSAND FIVE HUNDRED FIFTY-THREE
22 DOILLARS AND SEVENTY-THREE CENTS (\$2,553.73), and costs under 28 U.S.C. § 1920 in the
23 amount of FOUR HUNDRED DOLLARS (\$400.00). This amount represents compensation for all legal
24 services counsel rendered on behalf of Plaintiff in connection with this civil action, in accordance with
25 28 U.S.C. §§ 2412(d), 1920.

26 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the
27 matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, 560
28 U.S. 586, 598 (2010), the ability to honor the assignment will depend on whether the fees are subject to

1 any offset allowed under the United States Department of the Treasury's Offset Program. After the order
2 for EAJA fees is entered, the government will determine whether they are subject to any offset.

3 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury
4 determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of
5 fees approved to be made directly to Plaintiff's counsel, pursuant to the assignment executed by
6 Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

7 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees
8 and does not constitute an admission of liability on the part of Defendant under EAJA. Payment of the
9 agreed amount shall constitute a complete release from, and bar to, any and all claims that Plaintiff may
10 have relating to EAJA attorney fees and expenses in connection with this action.

11 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act
12 attorney fees under 42 U.S.C. § 406, subject to the offset provisions of the EAJA.

13
14 Respectfully submitted,

15 Dated: August 1, 2016

/s/ Andrew Shaffer
ANDREW K. SHAFFER (authorized by e-mail, 7/31/16)
Attorney for Plaintiff

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17
18 Dated: August 1, 2016

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22 By: /s/ Marcelo Illarmo
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24 Attorneys for Defendant

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ORDER

APPROVED AND SO ORDERED:

Dated: CE * ~ • a G E F I



United States Federal Judge