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7 UNITED STATES DISTRICT COURT  
8 SOUTHERN DISTRICT OF CALIFORNIA  
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10 SHARLENE CHIQUITA PARKER,

11 Plaintiff,

12 v.

13 ANDREW SAUL, Commissioner of Social  
14 Security,

15 Defendant.

Case No.: 20cv2530-BLM

**ORDER GRANTING JOINT MOTION  
FOR THE AWARD AND PAYMENT OF  
ATTORNEY FEES AND EXPENSES  
PURSUANT TO THE EQUAL ACCESS TO  
JUSTICE ACT, 28 U.S.C. § 2412(d) AND  
COSTS PURSUANT TO 28 U.S.C. § 1920**

**[ECF NO. 28]**

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17 On December 30, 2020, Plaintiff filed a complaint in this matter seeking judicial review of  
18 the denial of her "concurrent applications for disability insurance benefits and supplemental  
19 security income." ECF No. 1.

20 On September 30, 2022, the Court issued an Order Granting Plaintiff's Motion for  
21 Summary Judgment and Remanding. ECF No. 27.

22 On November 16, 2022, the parties filed a Joint Motion for the Award and Payment of  
23 Attorney Fees and Expenses Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)  
24 and Costs Pursuant to 28 U.S.C. § 1920. ECF No. 28.

25 The EAJA allows a prevailing party to seek attorney's fees from the United States within  
26 thirty days of final judgment. 28 U.S.C. § 2412(d). "A sentence four remand becomes a final  
27 judgment, for purposes of attorneys' fees claims brought pursuant to the EAJA, 28 U.S.C. §  
28 2412(d), upon expiration of the time for appeal." Akopyan v. Barnhart, 296 F.3d 852, 854 (9th

1 Cir. 2002). If one of the parties is the United States, either party may file a notice of appeal  
2 within sixty days of the order appealed from. See Fed. R. App. 4(a)(1)(B). "A plaintiff who  
3 obtains a sentence four remand is considered a prevailing party for attorneys' fees." Akopyan,  
4 296 F.3d at 854. Plaintiff is the prevailing party in this action for purposes of attorney's fees,  
5 the parties' joint motion is timely, and the Court finds the stipulated amount of fees and expenses  
6 reasonable.

7 Having considered the joint motion and finding the stipulated amount of fees and  
8 expenses reasonable, the Court **GRANTS** the joint motion and **AWARDS** Plaintiff attorney's  
9 fees and expenses in the total amount of \$6,700.00 as authorized by 28 U.S.C. § 2412, subject  
10 to the terms of the parties' joint motion [see ECF No. 28]. Fees will be made payable to Sharlene  
11 Chiquita Parker, but if the Department of the Treasury determines that Sharlene Chiquita Parker  
12 does not owe a federal debt, then the government will cause the payment of fees, expenses,  
13 and costs to be made directly to the Law Offices of Lawrence D. Rohlifing, Inc., CPC pursuant to  
14 the assignment executed by Sharlene Chiquita Parker [see ECF No. 28-2]. Any payments will  
15 be delivered to Denise Bourgeois Haley.

16 **IT IS SO ORDERED.**

17 Dated: 11/17/2022

  
18 Hon. Barbara L. Major  
19 United States Magistrate Judge  
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