

1 Hal Taylor, Esq.
 2 Bar No.: 4399
 223 Marsh Ave.
 3 Reno, NV 90509
 Tel: (775) 825-2223
 4 Email: haltaylorlawyer@gbis.com
 Attorney for Plaintiff

6 Hannalore B. Merritt, Esq
 Osterhout Berger Disability Law, LLC
 7 521 Cedar Way, Suite 200
 Oakmont, PA 15139
 8 Ph.: 412-794-8003
 Fax: 412-794-8050
 9 PA Bar ID: 323589
 Hannalore@mydisabilityattorney.com
 10 Pro Hac Vice Attorney for Plaintiff Hal Goldblatt
 11 Counsel had complied with LR IA 10-2

12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE DISTRICT OF NEVADA

14 HAL GOLDBLATT,)
)
 15 Plaintiff,)
)
 16 v.)
)
 18 NANCY A. BERRYHILL,)
)
 19 Acting Commissioner of)
 Social Security,)
 20)
 Defendant.)

CIVIL ACTION NO.
 2:17-cv-02193-MMD-VCF

 JOINT STIPULATION FOR
 ATTORNEY FEES UNDER
 THE EQUAL ACCESS TO
 JUSTICE ACT

23 It is hereby stipulated by and between the parties, through their undersigned
 24 counsel, subject to the approval of the Court, that the parties have agreed to a
 25 compromise settlement of Plaintiff's request for attorney fees in the amount of Four
 26 Thousand Two Hundred Fifty Dollars and 00/100 (\$4,250.00). This amount represents
 27

1 compensation for all legal services rendered on behalf of Plaintiff by counsel in
2 connection with this civil action, in accordance with 28 USC §2412(d).

3 The Court shall order that the awarded attorney fees be made payable to
4 Plaintiff, Hal Goldblatt, and delivered to the business address of Plaintiff's counsel.

5
6 EAJA fees awarded by this Court belong to the plaintiff and are subject to offset
7 under the Treasury Offset Program (31 U.S.C. §3716(c)(3)(B) (2006)). *See Astrue v.*
8 *Ratliff*, 130 S.Ct 2521, 2528-29 (2010). Defendant recognizes that Plaintiff assigned
9 her right to EAJA fees to her attorney. If it is determined upon effectuation of the
10 Court's EAJA fee order that Plaintiff does not owe a debt that is subject to offset under
11 the Treasury Offset Program, Defendant agrees to accept the assignment, and fees
12 will be made payable to Plaintiff's attorney. If there is such a debt, any fee remaining
13 after offset will be payable to Plaintiff.
14

15 This stipulation constitutes a compromise settlement of Plaintiff's request for
16 attorney fees under the EAJA, and does not constitute an admission of liability on the
17 part of the Commissioner under the EAJA. Payment of the aforementioned attorney
18 fees shall constitute a complete release from and bar to any and all claims Plaintiff
19 may have relating to attorney fees under the EAJA in connection with his action.
20

21 This award is without prejudice to the rights of Plaintiff's counsel to seek Social
22 Security Act attorney fees under 42 USC §406, subject to the provisions of the EAJA.
23

24 Respectfully submitted,

25 Dated: 01/02/2019

/s/ Hannalore B. Merritt
Hannalore B. Merritt
Pro Hac Vice Attorney for Plaintiff

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: 01/02/2019

/s/ Hal Taylor
Hal Taylor
Local Counsel for Plaintiff

Dated: 01/02/2019

DALE ELIESON
United States Attorney
BLAINE T. WELSH
Chief, Civil Division

/s/ Ben A. Porter*

Ben A. Porter, Esquire
Special Assistant United States Attorney
Attorneys for Defendant
(*Permission to use electronic signature obtained
via email dated 1/2/19).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

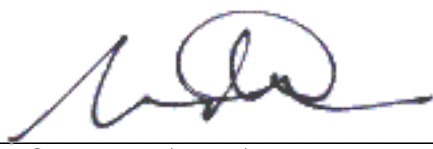
HAL GOLDBLATT,)
)
Plaintiff,)
)
v.)
)
NANCY A. BERRYHILL,)
Deputy Commissioner of)
Operations performing the)
duties and functions not)
reserved for the Commissioner)
of Social Security,)
)
Defendant.)

CIVIL ACTION NO.
2:17-cv-02193-MMD-VCF

ORDER GRANTING
STIPULATION FOR ATTORNEY
UNDER THE EAJA

It is hereby ORDERED that the Joint Stipulation for EAJA Fees (Docket No. 21) is GRANTED and Plaintiff is awarded \$4,200.00 in attorney's fees. *Astrue vs. Ratliff*, 130 S. Ct. 2521, 2524 (2010), directs that the check should be made payable to Plaintiff and mailed to Plaintiff's Counsel.

Date: January 2, 2019



HON. MIRANDA M. DU
UNITED STATES DISTRICT JUDGE