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Case 2:13-cv-00574-SJF Document 17 Filed 09/13/13 Page 1 of 3 PageID #: 50

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

AIDA DURAN,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

-----X

**STIPULATION AND ORDER
REGARDING ATTORNEY FEES**

Civil Action No. 13-CV-0574

(Feuerstein, J.)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

★ SEP 16 2013 ★

LONG ISLAND OFFICE

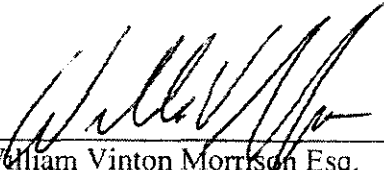
IT IS HEREBY STIPULATED AND AGREED by and between counsel for Plaintiff, AIDA DURAN, and counsel for Defendant, the ACTING COMMISSIONER OF SOCIAL SECURITY, that Plaintiff is awarded \$2,000.00 (Two Thousand Dollars and No Cents) in attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412, in full satisfaction of any claim under that statute. Payment of fees may be made directly to Plaintiff's attorney provided that Plaintiff has agreed to assign her rights to the fees to the attorney and provided that Plaintiff owes no debt that is subject to offset under the Treasury Offset Program.

This award under the EAJA is without prejudice to any subsequent application for fees that counsel may make under 42 U.S.C. § 406(b), which application cannot be made unless and until Defendant determines that Plaintiff is entitled to an award of benefits and computes any

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such past-due benefits.

Dated: Middletown, New York
September 12, 2013



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September 12, 2013

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SO ORDERED:

s/ Sandra J. Feuerstein

Honorable Sandra J. Feuerstein
United States District Judge

9/16/13

WILLIAM V. MORRISON, ESQ.

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PLEASE READ CAREFULLY

**FEE AGREEMENT - FEDERAL COURT
SSI/SOCIAL SECURITY DISABILITY**

I hereby employ William V. Morrison to represent me in federal court review of my SSI/SOCIAL SECURITY DISABILITY case.

My attorney has explained to me that it is the law that the attorney fee must be approved by the federal court for representation in federal court. I understand that the total fee could amount to several thousand dollars or several hundred dollars per hour on an hourly basis; I understand that my attorney is accepting my case because of the possibility of obtaining substantial fees. I agree to cooperate in any way that I can so that my attorney's full fee is authorized.


I understand that usually all of the attorney fees will be paid from my past-due benefits. However, sometimes a court will order the government to pay a portion of the attorney fees pursuant to the Equal Access to Justice Act (EAJA). If this happens, I hereby assign any court awarded EAJA attorney fees to my attorney. I agree that any such payment belongs to my attorney. If my attorney receives an EAJA check made payable to me, I hereby explicitly give permission to my attorney to endorse the check with my name and deposit it in my attorney's general office account.

Nevertheless, the court-awarded EAJA attorney fees may reduce the amount that I will be obligated to pay from my past-due benefits and it could mean that no attorney fee will come out of my back benefits, that is, the entire fee will be paid by the government under the EAJA. On the other hand, it could work out that my attorney will receive the 25% fee and, in addition, my attorney will receive part or the entire court-awarded EAJA fee. But in no case will the fee that comes out of the back benefits paid on my account be greater than 25% (including the fee paid for work on my case that may be made before the Social Security Administration).

This agreement terminates at the option of my attorney if we lose in the federal district court.

Date: 3/18/13

Aida Duran
Name


Signature

ACCEPTED AND APPROVED:


William V. Morrison, Esq.

3/18/13
Date