

1 ERIC GRANT
 United States Attorney
 2 MATHEW W. PILE
 Head of Program Litigation 1
 3 Social Security Administration | Law & Policy
 MARGARET BRANICK-ABILLA, CSBN 223600
 4 Special Assistant United States Attorney
 5 Program Litigation 1
 Social Security Administration | Law & Policy
 6 6401 Security Boulevard
 Baltimore, MD 21235
 7 Telephone: (510) 970-4809
 8 Email: Margaret.Branick-Abilla@ssa.gov

9 Attorneys for Defendant

10 UNITED STATES DISTRICT COURT
 12 EASTERN DISTRICT OF CALIFORNIA

13 OCTAVIO NUNEZ,

14 Plaintiff,

15 vs.

16 COMMISSIONER OF SOCIAL SECURITY,

17 Defendant.
18

Civil No. 2:24-cv-03166-TLN-AC

STIPULATION FOR THE AWARD AND
 PAYMENT OF ATTORNEY FEES PURSUANT
 TO THE EQUAL ACCESS TO JUSTICE ACT,
 28 U.S.C. § 2412(d), AND COSTS UNDER 28
 U.S.C. § 1920

19 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
 20 counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees in the
 21 amount of SEVEN THOUSAND, FOUR HUNDRED DOLLARS AND ZERO CENTS
 22 (\$7,400.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d) and costs in the
 23 amount of \$405.00 (FOUR HUNDRED AND FIVE DOLLARS AND ZERO CENTS) under 28
 24 U.S.C. § 1920. This amount represents compensation for all legal services rendered on behalf of
 25 Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. § 2412(d).

26 After the Court issues an order for EAJA fees to Plaintiff, the government will consider
 27 the matter of Plaintiff's assignment of EAJA fees to counsel UNITED DISABILITY LAWYERS
 28 GROUP (Counsel). Pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 598 (2010), the ability to honor

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

4 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
5 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees to
6 be made directly to Counsel, pursuant to the assignment executed by Plaintiff. Any payments
7 made shall be delivered to Counsel. Payments may be made by electronic funds transfer (EFT)
8 or by check.

9 Plaintiff was an individual whose net worth did not exceed \$2,000,000 at the time the
10 civil action was filed.

12 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
13 attorney fees, and does not constitute an admission of liability on the part of Defendant under the
14 EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and
15 bar to, any and all claims that Plaintiff and/or Counsel, including Counsel's law firm and any
16 associates, may have relating to EAJA attorney fees in connection with this action.

17 This award is without prejudice to the rights of Counsel to seek Social Security Act
18 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

19 Respectfully submitted,

20 Dated: October 22, 2025

SUMMIT DISABILITY LAW LLC

21 By: /s/ Kevin D. Heitke*

KEVIN D. HEITKE

Attorneys for Plaintiff

[*As authorized by J. Gannon by e-mail on Oct. 21,
2025]

24 Dated: October 22, 2025

ERIC GRANT

United States Attorney

MATHEW W. PILE

Head of Program Litigation 1

Social Security Administration | Law & Policy

27 By: /s/ Margaret Branick-Abilla

MARGARET BRANICK-ABILLA

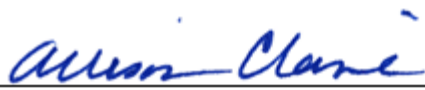
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED: October 22, 2025



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

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