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Attorney for Plaintiff
SUSANA JASMINE PALANCO HERNANDEZ

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

SUSANA JASMINE PALANCO HERNANDEZ, Plaintiff, v. FRANK BISIGNANO, Commissioner of Social Security, Defendant.	Case No. 1:26-cv-00554-GSA STIPULATION FOR THE AWARD AND PAYMENT OF ATTORNEY FEES AND EXPENSES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT; ORDER

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees and expenses in the amount of $8,800.00, under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920. This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 2412(d), 1920.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The parties stipulate that the position of the United States was not substantially justified in this case, and therefore, Plaintiff is entitled to attorney fees pursuant to EAJA.

After the Court issues an order for EAJA fees to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees to counsel. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine whether they are subject to any offset.

Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, expenses and costs to be made directly to Plaintiff's counsel, Francesco Benavides, pursuant to the assignment executed by Plaintiff.

Payments may be made by electronic funds transfer (EFT) or by check.

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

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

Respectfully submitted,

Dated: July 15, 2026

Law Offices of Francesco Benavides

By: */s/ Francesco Benavides*
FRANCESCO P. BENAVIDES
Attorney for Plaintiff

Dated: July 15, 2026

ERIC GRANT
United States Attorney
MATHEW W. PILE
Head of Program Litigation 1
Social Security Administration

By: */s/ Marcelo Illarmo**
MARCELO ILLARMO
Special Assistant U.S. Attorney
Attorneys for Defendant
(*Permission to use electronic signature obtained via email on July 15, 2026).

ORDER

Based upon the parties' Stipulation for the Award and Payment of Equal Access to Justice Act Fees and Expenses, **IT IS ORDERED** that fees and expenses in the amount of $8,800.00 as authorized by 28 U.S.C. § 2412, and no costs under 28 U.S.C. § 1920, be awarded subject to the terms of the Stipulation.

IT IS SO ORDERED.

Dated: **July 18, 2026**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE