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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KENNETH DWAYNE MARLOW, Plaintiff, vs. COMMISSIONER OF SOCIAL SECURITY, Defendant	CASE NO.: 2:26-cv-00162-SCR STIPULATION FOR THE AWARD AND PAYMENT OF ATTORNEY FEES AND EXPENSES PURUSANT TO THE EQUAL ACCESS TO JUSTICE ACT; ORDER

The parties, through their respective counsel, hereby agree that attorney fees in the amount of $10,900.00 shall be awarded to Plaintiff pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, and costs of $0, pursuant to 28 U.S.C. § 1920. Such attorney fees shall be subject to verification that Plaintiff has no debt that qualifies for offset, pursuant to the Treasury Offset Program as discussed in *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010).

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees are not subject to any offset allowed under the Department of the Treasury's Offset Program, then the check or electronic funds transfer for EAJA fees shall be made payable to Plaintiff's attorney, Margaret Lehrkind, based upon Plaintiff's assignment of these amounts to her. *See* Exhibit –

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Retainer Agreement. If Plaintiff has a debt, then any remaining funds after offset shall be made payable to Plaintiff and mailed to counsel's address.

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

This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act attorney fees under 42 U.S.C. § 406, subject to the offset provisions of the EAJA.

DATE: June 15, 2026

Respectfully submitted,

Lehrkind Law Office, P.C.

By: */s/ Margaret Lehrkind*
MARGARET LEHRKIND
Attorney for Plaintiff

DATE: June 15, 2026

By: */s/ Zachary James Berkoff-Cane* *
ZACHARY JAMES BERKOFF-CANE
**As authorized via email on 6/13/26*
Special Assistant United States Attorney
Attorney for Defendant

[~~PROPOSED~~] ORDER

Based upon the parties' Stipulation for the Award and Payment of Equal Access to Justice Act Fees and Expenses (the "Stipulation"),

IT IS ORDERED that fees and expenses in the amount of $10,900.00 as authorized by the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and $0 in costs, pursuant to 28 U.S.C. § 1920, be awarded subject to the terms of the Stipulation.

IT IS SO ORDERED.

DATE: June 18, 2026

SEAN C. RIORDAN
UNITED STATES MAGISTRATE JUDGE