

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

E. RUTH NEFF,	:
	:
Plaintiff,	: Case No. 3:12cv00120
	:
vs.	: District Judge Thomas M. Rose
	: Chief Magistrate Judge Sharon L. Ovington
CAROLYN W. COLVIN,	:
Acting Commissioner of the Social	:
Security Administration,	:
	:
Defendant.	:

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**DECISION AND ENTRY**

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This case is before the Court upon the parties' Stipulation To Award Of EAJA Fees (Doc. #16). The parties have jointly stipulated to, and petitioned for, an award of attorney fees, costs, and expenses in the total amount of \$3,500.00 in full satisfaction and settlement of any and all claims Plaintiff may have under the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412. The parties further agree that any EAJA fees paid belong to Plaintiff and can be offset to satisfy any pre-existing debt that Plaintiff owes the United States, pursuant to *Astrue v. Ratliff*, 560 U.S. \_\_\_, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010).

Accordingly, the Court hereby **ORDERS** that:

1. The parties' Stipulation To Award EAJA Fees (Doc. #16) is accepted, and Defendant shall pay Plaintiff's attorney fees, costs, and expenses under 28 U.S.C. §2412 in the total amount of \$3,500.00;

2. Defendant shall verify, **within thirty days of this Decision and Entry,** whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's attorney, Gary M. Blumenthal; and
3. The case remains terminated on the docket of this Court.

August 13, 2013

*\*s/Thomas M. Rose*

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Thomas M. Rose  
United States District Judge