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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

9 Ubaldo Trujillo,

No. CV-15-0223-TUC-BGM

10 Plaintiff,

ORDER

11 v.

12
13 Nancy A. Berryhill,
14 Acting Commissioner of Social Security,


15 Defendant.

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17 Currently pending before the Court is the parties' Stipulated Amended Motion for Award
18 of Attorney Fees (Doc. 29). Having reviewed the same, and good cause appearing, IT IS
19 HEREBY ORDERED that Plaintiff be awarded attorney's fees of \$4,846.66 pursuant to the
20 Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d).

21
22 EAJA fees awarded by this Court belong to the Plaintiff and are subject to offset
23 under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)). *See Astrue v.*
24 *Ratliff*, 560 U.S. 586, 595–98, 130 S.Ct. 2521, 2528–29, 177 L.Ed.2d 91 (2010). As
25 such, IT IS FURTHER ORDERED that if, after receiving this Order, the Commissioner
26 determines upon its effectuation that Plaintiff does not owe a debt that is subject to offset
27 under the Treasury Offset Program, the fees will be made payable to Plaintiff's attorney.
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1 If, however, there is a debt owed that is subject to offset under the Treasury Offset
2 Program, the remaining EAJA fees after offset will be paid by a check made out to
3 Plaintiff, but delivered to Plaintiff's attorney. Any check for EAJA fees shall be mailed
4 to Plaintiff's counsel at the following address: Hallinan & Killpack Law Firm, 5240 East
5 Pima Street, Tucson, Arizona 85712.
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8 Dated this 27th day of November, 2017.

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10 
11 Honorable Bruce G. Macdonald
12 United States Magistrate Judge
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