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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Jonathan Rogers,

10 Plaintiff,

11 v.

12 Andrew Saul,¹
13 Commissioner of Social Security,
14 Defendant.

No. CV-18-0260-TUC-BGM

ORDER

15 Currently pending before the Court is the Plaintiff's Application for Award of
16 Attorneys' Fees and Costs Under the Equal Access to Justice Act and Memorandum of
17 Points and Authorities (Doc. 25). Defendant does not object to the fees requested. *See*
18 *id.* Having reviewed the same, and good cause appearing, IT IS HEREBY ORDERED
19 that Plaintiff's motion (Doc. 25) is GRANTED.

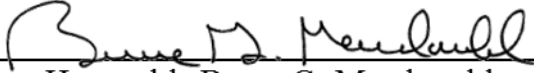
20 IT IS FURTHER ORDERED that Plaintiff be awarded attorney's fees of
21 \$4,842.06 pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d).

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

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27 ¹ The Court takes judicial notice that Nancy A. Berryhill is no longer Acting
28 Commissioner of the Social Security Administration ("SSA"). The Court will substitute the new
Commissioner of the SSA, Thomas M. Saul, as Respondent pursuant to Rule 25(d) of the Federal
Rules of Civil Procedure. *See also* Fed. R. App. P. 43(c)(2).

1 determines upon its effectuation that Plaintiff does not owe a debt that is subject to offset
2 under the Treasury Offset Program, fees will be made payable to Plaintiff's attorney,
3 Kathryn Dicus. If, however, there is a debt owed that is subject to offset under the
4 Treasury Offset Program, the remaining EAJA fees after offset will be paid by a check
5 made out to Plaintiff but delivered to Plaintiff's attorney. Any check for EAJA fees shall
6 be mailed to Plaintiff's counsel at the following address: Dicus Disability, LLC, 10645
7 North Tatum Boulevard, No. 329, Phoenix, Arizona 85028.

8 Dated this 31st day of January, 2020.

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11 Honorable Bruce G. Macdonald
12 United States Magistrate Judge
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