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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AYDA MEISAMI,
Plaintiff,
v.
NANCY A. BERRYHILL,
Defendant.

Case No. [15-cv-00276-JD](#)

**ORDER AWARDING ATTORNEY'S
FEES AND COSTS PURSUANT TO THE
EQUAL ACCESS TO JUSTICE ACT**

Re: Dkt. No. 31

In this social security appeal, plaintiff has requested an award of attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d). The request is granted.

Plaintiff is the "prevailing party" and she asserts that she is entitled to fees as defendant's position was not "substantially justified" under 28 U.S.C. § 2412(d)(1)(A). It is the government's burden to show that its position was substantially justified, and it has failed to do so here, as it has not filed an opposition to plaintiff's motion for fees.

Plaintiff has submitted adequate proof in support of the fees and costs she seeks. The Court consequently grants plaintiff's motion and orders defendant to pay **\$18,332.00** in EAJA fees and costs to plaintiff, Ayda Meisami, as soon as practicable. The government may make the amount payable to plaintiff's counsel instead, should it determine that it can properly do so under the applicable rules and regulations. The Court does not set a time limit for the payment and orders the government to make the payment as soon as practicable. Plaintiff may request the Court's further assistance in the event no payment has been made within 120 days.

IT IS SO ORDERED.

Dated: May 26, 2017



JAMES DONATO
United States District Judge