

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 12-cv-2306-WJM

JACKIE PONIKVAR,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of the Social Security Administration

Defendant.

**ORDER GRANTING STIPULATED MOTION FOR ATTORNEY'S FEES
UNDER THE EQUAL ACCESS TO JUSTICE ACT**

This matter comes before the Court on the Parties' Stipulated Motion for Attorney Fees Under the Equal Access to Justice Act ("EAJA"), filed September 23, 2013 (ECF No. 26). The Court having reviewed the Motion hereby ORDERS as follows:

1. The Parties' Stipulated Motion is GRANTED.
2. Defendant will pay Plaintiff a total of \$5,500.00 in EAJA fees. This amount is payable to Plaintiff, not directly to her counsel.¹
3. Defendant's payment of this amount is without prejudice to Plaintiff's right to seek attorney fees under Section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA.

¹ However, Defendant will consider the propriety of directing payment to the attorney pursuant to an assignment, but can do so only after the award has been issued to Plaintiff and the amount of any federal debt owed by Plaintiff is properly offset.

Dated this 24th day of September, 2013.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William J. Martínez", is written over a horizontal line.

William J. Martínez
United States District Judge