

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No. 13-cv-00986-WYD

DEBRA D. TERRELL,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

ORDER

THIS MATTER is before the Court on the parties' Joint Stipulation for EAJA Fees filed December 3, 2014. The parties stipulate therein to an award of \$6,250.00 fees under the Equal Access to Justice Act ["EAJA"] for legal services rendered on behalf of Plaintiff. Having reviewed the Stipulation and finding good cause therefore, it is

ORDERED that the Joint Stipulation for EAJA Fees (ECF No. 26) is **APPROVED**. Attorney fees in the amount of **\$6,250.00** are awarded under the EAJA and shall be made payable to Plaintiff. Payment shall be sent to the office of Plaintiff's attorney at the address referenced in the Stipulation.¹ It is

¹ However, if, after receiving this Order, the Commissioner determines that Plaintiff (1) has assigned her right to EAJA fees to her attorney, and (2) does not owe a debt that is subject to offset under the Treasury Offset Program, then the Commissioner will agree to waive the requirements of the Anti-Assignment Act, and the EAJA fees will be made payable to Plaintiff's attorney. However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset will be paid by a check made out to Plaintiff but delivered to Plaintiff's attorney.

FURTHER ORDERED that Defendant's payment of this amount bars any and all claims Plaintiff may have relating to EAJA fees and expenses in connection with this action. The payment is without prejudice to Plaintiff's counsel'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.

Dated December 4, 2014

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Senior United States District Judge