

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 14-cv-00895-CMA

FELICIA ROMONA SANTISTEVAN,

Plaintiff,

v.

CAROLYN W. COLVIN, Social Security Administrator,

Defendant.

**ORDER GRANTING STIPULATED MOTION FOR AWARD OF ATTORNEY FEES
PURSUANT TO THE EQUAL JUSTICE ACT, 28 U.S.C. § 2412**

This matter is before the Court on the Stipulated Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act. (Doc. # 22.) Per the Motion, the parties have stipulated to an attorney fee award of \$5,200.00 pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412 et seq., in the above-captioned matter, and have also stipulated that this award represents reasonable compensation for all legal services rendered on behalf of Plaintiff by Rachael A. Lundy, Esq., and her firm, Michael W. Seckar, P.C., in connection with this civil action before the district court in accordance with 28 U.S.C. §§ 1920 and 2412(d).

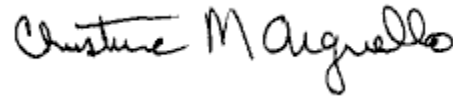
Additionally, under *Astrue v. Ratliff*, 560 U.S. 586 (2010), EAJA fees awarded by this Court belong to the Plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)). Pursuant to the parties' stipulation, if the

Commissioner determines Plaintiff 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, 31 U.S.C. § 3727(b), 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 at her office: Rachael A. Lundy, Esq.; Michael W. Seckar, P.C.; 402 West 12th Street; Pueblo, CO 81003.

The Court, having been advised in the premises, finds that the Motion (Doc. # 22) should be GRANTED and the attorney fees paid pursuant to the parties' stipulation.

DATED: July 15, 2015

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge