

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01254-WYD

CHRISTOPHER L. MILLER,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

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

The parties' Stipulated Motion for Fees Under the Equal Access to Justice Act [ECF Doc. No. 21], filed May 3, 2016, is **GRANTED**.

Defendant shall pay Plaintiff \$5,995.00 in attorney fees. Payment of this amount shall constitute a complete release from and bar to any and all claims Plaintiff may have relating to EAJA fees in connection with this action. However, the EAJA award is without prejudice to Plaintiff's attorney's right to seek attorney fees pursuant to Social Security Act § 206(b), 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA. See 28 U.S.C. § 2412(c)(1) (2006).

Under *Astrue v. Ratliff*, 130 S.Ct 2521, 2528-29 (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)). Thus, fees should be paid to Plaintiff, but delivered to Plaintiff's attorney.

Dated: May 4, 2016

BY THE COURT:

/s/ Wiley Y. Daniel
WILEY Y. DANIEL,
SENIOR UNITED STATES DISTRICT JUDGE