

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>JEFFREY L. SHERK,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Civil No. 13-cv-381-CJP</b>
	)	
<b>CAROLYN W. COLVIN,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER for ATTORNEY'S FEES**

**PROUD, Magistrate Judge:**

Before the Court is Plaintiff's Motion for Attorney's Fees Under the Equal Access to Justice Act. (**Doc. 29**). Defendant filed a Stipulation at **Doc. 32** setting forth an agreement reached by the parties subsequent to the filing of plaintiff's motion.

The parties have agreed that plaintiff is entitled to an award of fees in the amount of \$9,900.00, and \$0.0 for costs and expenses.

The Court finds that plaintiff is the prevailing party and is entitled to an award of attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. §2412(d)(1)(B). The Court further finds that the agreed upon amount is reasonable and appropriate.

Plaintiff's Motion (**Doc. 29**) is **GRANTED**. Pursuant to the parties' stipulation, the Court awards plaintiff Jeffrey L. Sherk the sum of **\$9,900.00** for attorney's fees pursuant to the Equal Access to Justice Act. These funds shall be

payable to plaintiff, per *Astrue v. Ratliff*, **130 S.Ct. 2521 (2010)**. However, in accordance with the parties' agreement, any part of the award that is not subject to set-off to pay plaintiff's pre-existing debt to the United States shall be made payable to plaintiff's attorney pursuant to the EAJA assignment previously executed by plaintiff and his attorney.

**IT IS SO ORDERED.**

**DATE: September 19, 2014.**

**s/ Clifford J. Proud**  
**CLIFFORD J. PROUD**  
**UNITED STATES MAGISTRATE JUDGE**