

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

| | | |
|----------------------------------|---|---------------------------------|
| KATHLEEN McKEE, |) | |
| |) | |
| Plaintiff, |) | Case No. 11-11803 |
| |) | |
| v. |) | Honorable Robert H. Cleland |
| |) | Magistrate Judge Mark R. Randon |
| |) | |
| MICHAEL J. ASTRUE, |) | |
| Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |

**JOINT STIPULATION FOR AN AWARD OF ATTORNEY’S FEES UNDER THE
EQUAL ACCESS TO JUSTICE AWARD**

Plaintiff and Defendant, by their respective counsel, hereby stipulate to an award of attorney fees and expenses in the sum of \$5354.10 and costs in the amount of \$0 in full satisfaction and settlement of any and all claims Plaintiff may have in this matter pursuant to the Equal Access to Justice Act in the above case. The award will fully satisfy any and all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412, that may be payable for counsel's work before the Court in this case. Any fees paid belong to Plaintiff and not her attorney and can be offset to satisfy pre-existing debt that the litigant owes the United States under *Astrue v. Ratliff*, 177 L. Ed. 2d 91 (2010). Plaintiff and Defendant move that the Court enter an order awarding Plaintiff EAJA fees and expenses in the amount of \$5354.10 and costs in the amount of \$0.

After the court enters this award, if counsel for the Defendant can verify that Plaintiff owes no pre-existing debt subject to offset, the Defendant will direct that the award be made payable to Plaintiff's attorney pursuant to the EAJA assignment duly signed by Plaintiff and

counsel.

WHEREFORE, the parties request that the Court enter an order awarding Plaintiff attorney fees and expenses in the sum of \$5354.10 and costs in the amount of \$0 in settlement of any and all claims she may have in the matter pursuant to the Equal Access to Justice Act.

Respectfully submitted,

BARBARA L. McQUADE
UNITED STATES ATTORNEY

s/Eddy Pierre Pierre (w/consent)
EDDY PIERRE PIERRE
Attorney for Plaintiff
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DATED: March 8, 2012

By: s/ Andrew J. Lievernse
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P-68925
DATED: March 9, 2012

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KATHLEEN McKEE,)
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 Plaintiff,) Case No. 11-11803
)
 v.) Honorable Robert H. Cleland
) Magistrate Judge Mark R. Randon
)
 MICHAEL J. ASTRUE,)
 Commissioner of Social Security,)
)
 Defendant.)

ORDER

This matter comes before the Court on the parties' Joint Stipulation to Award EAJA Fees.

The Court, having read the Joint Stipulation and being duly advised now GRANTS said request, and hereby GRANTS the parties' Stipulation to Award EAJA Fees and ORDERS that Plaintiff be awarded attorney fees in the amount of \$5354.10 and costs in the amount of \$0 under the EAJA, 28 U.S.C. § 2412(d). This award will satisfy all Plaintiff's claims for fees, expenses, and costs under 28 U.S.C. § 2412.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 16, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, March 16, 2012, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522