

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BRIAN JEFFREY ELLIS,

Plaintiff,

Case No. 15-13985

v.

Honorable John Corbett O'Meara

NANCY A. BERRYHILL, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

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**ORDER GRANTING PLAINTIFF'S MOTION FOR FEES**

This matter came before the court on plaintiff Brian Jeffrey Ellis' February 9, 2017 Motion for EAJA Attorney's Fees. The Commissioner filed a response February 23, 2017. No reply was filed, and no oral argument was heard.

Plaintiff's counsel filed the instant motion, seeking an award of \$5,973.39 in attorney fees, plus the \$400 filing fee, for a total award of \$6,373.39. The Commissioner has no objection to the award nor to the amount; rather, she seeks only an opportunity to determine whether the amount may be "offset to satisfy a pre-existing debt that the litigant owes to the United States." See Kenney v. Colvin, 2015 WL 5837709, at 3\* (E.D. Mich. Sept. 29, 2012).

Despite Plaintiff's counsel's request that the attorney fees "be paid directly to plaintiff's attorney," the court will award the fees and costs to plaintiff Ellis.

**ORDER**

It is hereby **ORDERED** that plaintiff Ellis' February 9, 2017 motion for attorney's fees is **GRANTED**.

It is further **ORDERED** that \$6,373.39 be paid to plaintiff Brian Jeffrey Ellis, minus any amount that may be used to satisfy a pre-existing debt to the United States.

s/John Corbett O'Meara  
United States District Judge

Date: April 25, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, April 25, 2017, using the ECF system.

s/William Barkholz  
Case Manager