

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
GREAT FALLS DIVISION

TROY A. BARNES,)	
)	Cause No.: CV 16-48-GF-BMM-JTJ
Plaintiff,)	
)	ORDER ON MOTION FOR
v.)	ATTORNEY'S FEES
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of Social)	
Security,)	
)	
Defendant.)	
)	

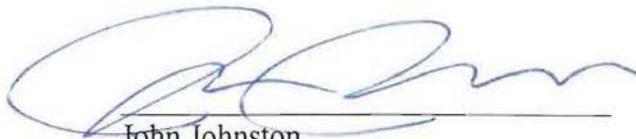
Plaintiff has filed a motion seeking an award of attorney's fees under the Equal Access to Justice Act [EAJA].¹ The Commissioner does not oppose the motion, subject to the usual considerations in EAJA cases. Accordingly, it is hereby

ORDERED that Defendant shall pay **\$1,993.68** in attorney's fees;

¹ Costs in the amount of \$400.00, for the filing fee paid by Plaintiff, have already been taxed by the Clerk of this Court. See, Docket Entry #17 (Dec. 12, 2016).

IT IS FURTHER ORDERED that if, after receiving the Court's order, the Commissioner determines upon effectuation of the order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, agrees to waive the requirements of the Anti-Assignment Act, and is provided a valid assignment of the fees executed by the Plaintiff, the fees awarded shall 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 shall be paid by check made out to the Plaintiff, in care of or delivered to Plaintiff's attorney.

DATED this 6th day of February 6, 2017.

A handwritten signature in blue ink, appearing to read "John Johnston", is written over a horizontal line.

John Johnston
United States Magistrate Judge