

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

CLAUDETTE PINTO,

Plaintiff,

v.

Civ. No. 16-826 GJF

NANCY BERRYHILL, *Acting
Commissioner of the Social Security
Administration,*

Defendant.

**ORDER GRANTING THE PARTIES' STIPULATED MOTION FOR AWARD OF
ATTORNEYS FEES PURSUANT TO THE EAJA**

This matter is before the Court on the parties' "Stipulated Motion for Award of Attorney Fees Pursuant to the EAJA" ("Motion") [ECF No. 31]. Having considered the record, relevant law, and the stipulations of the parties, **IT IS HEREBY ORDERED:**

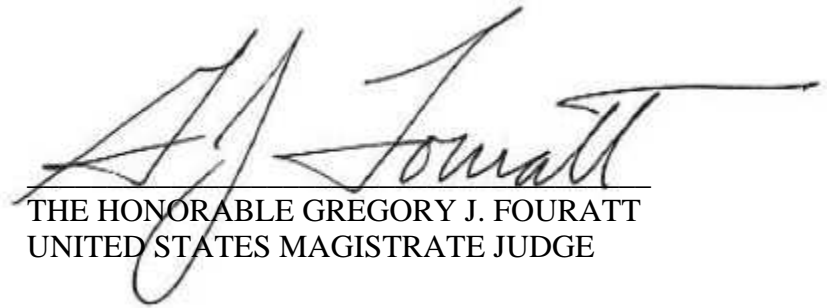
1. Defendant will pay Plaintiff a total of \$3,750.55 in fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412 *et seq.* This amount is payable to Plaintiff, not directly to her counsel. Payment will be sent to the office of Plaintiff's attorney, Francesca J. MacDowell.

2. Defendant's payment of this amount bars any and all claims Plaintiff may have relating to EAJA fees and expenses in connection with this action.

3. Defendant's payment of this amount is without prejudice to Plaintiff's counsels' right to seek attorney fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA.

4. This Order will not be used as precedent in any future cases and should not be construed as a concession that the Commissioner's administrative decision denying benefits to Plaintiff was not substantially justified.

IT IS SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE