

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:13-CV-212-D

GAIL J. LANIER,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

ORDER FOR FEES UNDER THE
EQUAL ACCESS TO JUSTICE ACT

This action being submitted to the Court for entry of a Consent Order agreed to, in amount, by the parties, that the Commissioner of Social Security should pay an negotiated sum of \$5,000.00 for attorney fees, in full and final settlement for attorney fees and costs arising under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). The Court further accepts the Commissioner's assertion that her having requested that this Court remand the case prior to this Court's adjudication on the merits was an admission that she was not substantially justified.

ACCORDINGLY, the Court hereby awards Plaintiff \$5,000.00 in attorney fees under the EAJA, paid to Plaintiff's attorney if there is no debt that qualifies under the Treasury Offset Program (31 U.S.C. § 3716). If there is such a debt, any fee remaining after offset will be payable to Plaintiff and delivered to Plaintiff's attorney.

This 19 day of September, 2014.



CHIEF UNITED STATES DISTRICT JUDGE
JUDGE JAMES C. DEVER III