

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV63-D

ANGELA M. WARREN,)	
Plaintiff)	
)	
)	
v.)	CONSENT ORDER
)	
MICHAEL J. ASTRUE,)	
Commissioner of)	
Social Security,)	
)	
Defendant)	

Pursuant to the power of this Court to award attorney fees to a prevailing party other than the United States incurred by that party in a civil action against the United States, including proceedings for judicial review of agency action, under the Equal Access to Justice Act, 28 U.S.C. § 2412, and in light of this Court's judgment dated November 15, 2010, and order dated October 13, 2010, remanding this case to the Agency for further proceedings,

IT IS THEREFORE ORDERED that the United States Social Security Administration agrees to pay attorney fees in the amount of \$2,330.19 in full satisfaction of any and all attorney fee claims Plaintiff may have in this case under the Equal Access to Justice Act. Pursuant to the United States Supreme Court's ruling in Astrue v. Ratliff, 130 S.Ct. 2521 (2010), these attorney fees are payable to Plaintiff as the prevailing party, and are subject to offset through the Treasury Department's Offset Program to satisfy any pre-existing debt Plaintiff may owe to the government. If, subsequent to the entry of this Order, the Commissioner determines that Plaintiff owes no debt to the government that would subject this award of attorney fees to offset,

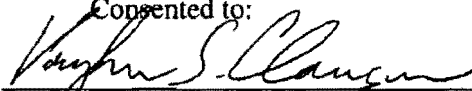
the Commissioner may honor the Plaintiff's February 8, 2010, signed assignment of EAJA fees providing for payment of the subject fees to Plaintiff's Counsel, rather than to Plaintiff. If, however, the Commissioner discovers that Plaintiff owes the government any debt subject to offset, the Commissioner agrees to pay any attorney fees remaining after such offset to Plaintiff, rather than to Counsel.



United States District Judge

This the 19 day of January, 2011.

Consented to:



Vaughn S. Clauson
Attorney for Plaintiff



Dennis Foley
Special Assistant United States Attorney
For Defendant