

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

SANDRA LYNN CROSS WENZ,)
)
Plaintiff,)
)
v.)
)
ANDREW M. SAUL,)
Commissioner of Social Security,)
)
Defendant.)

Civ. No. 1:20-00265-FDW

ORDER

THIS MATTER is before the Court on Plaintiff’s Motion for award of attorney’s fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). (Doc. No. 20). Based on the pleadings, including the affidavit submitted in support of the motion (Doc. No. 21) and included statement that Defendant consents to the motion (Doc. No. 21-7), as well as recognizing Plaintiff’s waiver of direct payment and assignment of EAJA to her counsel, the motion is GRANTED.

IT IS HEREBY ORDERED that the motion (Doc. No. 20) is GRANTED and attorney fees in the total amount of Four Thousand Five Hundred Fifty Dollars (\$4,550.00) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff. Astrue v. Ratliff, 130 S.Ct. 2521 (2010). If the U.S. Department of the Treasury determines that Plaintiff’s EAJA fees, expenses, and costs are not subject to offset allowed under the Department of the Treasury’s Offset Program (TOPS), then the check for EAJA fees, expenses, and costs shall be made payable to Plaintiff’s attorney, Russell Bowling. Whether the check is made payable to Plaintiff or to Russell Bowling, the check shall be mailed to Olinsky Law Group at the following address: 250 South Clinton Street. Suite 210, Syracuse, NY 13202.

IT IS SO ORDERED.

Signed: November 16, 2021


Frank D. Whitney
United States District Judge