

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

ROSALYN R. BAGWELL,)
Plaintiff.)

v.)

NANCY A. BERRYHILL,)
Acting Commissioner of Social Security)
Defendant.)

Civil No. 3:17-CV-216-RJC-DSC

ORDER

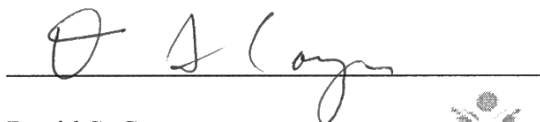
Upon consideration of Plaintiff's unopposed Motion for Attorney Fees, IT IS HEREBY
ORDERED:

1. Defendant will pay Plaintiff a total of \$6,000.00 in fees pursuant to the Equal Access to Justice Act ("EAJA"). This amount is payable to Plaintiff and not directly to her counsel. Payment will be mailed to Plaintiff's attorney at his office: David F. Chermol, Chermol & Fishman, LLC, 11450 Bustleton Avenue, Philadelphia, Pennsylvania 19116.
2. Defendant's payment of this amount bars any and all claims Plaintiff may have relating to EAJA fees, expenses and costs in connection with this action.
3. Defendant's payment of this amount is without prejudice to Plaintiff's 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. Pursuant to Comm’r of Soc. Sec. v. Ratliff, 560 U.S. --, 130 S. Ct. 2521 (2010), this fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed in care of counsel’s office.

SO ORDERED.

Signed: October 3, 2018

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

