

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Barbara Jean Reed,)	
)	
Plaintiff,)	ORDER RE ATTORNEY'S FEES
vs.)	PURSUANT TO THE EQUAL ACCESS
)	TO JUSTICE ACT
)	
Commissioner of Social Security,)	
)	Case No. 1:22-cv-099
Defendant.)	

Plaintiff initiated this action in June 14, 2022, seeking judicial review of the Commissioner's final decision denying her application for disability insurance benefits and Supplemental Security Income benefits. (Doc. Nos. 1 and 6). Finding that the ALJ's decision was not supported by substantial evidence, the court issued an order on November 26, 2024, remanding this matter for further consideration. (Doc. No. 25).

On February 24, 2025, Plaintiff filed a Motion for Award of Attorneys' Fees Pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 241. (Doc. No. 27). He requests an award of \$8,762.58 in attorney's fees.

On February 28, 2025, the Parties filed a Joint Stipulation for EAJA Fees. (Doc. No. 31). Therein they stipulation to an award of \$8,324.45 in attorney fees under the EAJA. They further stipulate that if Plaintiff has no debt registered with the Department of the Treasury subject to offset that the fees will be made payable to Plaintiff's attorney.

The EAJA provides that a prevailing party is entitled to an award of fees and expenses in an action brought by or against the United States "unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust." 28 U.S.C. § 2412(d)(1)(A). The finds that the Plaintiff is eligible to receive an award of attorney's fees as

requested. Accordingly, the Court **ADOPTS** the Parties' Joint Stipulation for EAJA Fees. (Doc. No. 31). The Clerk of Court shall enter judgment for the Plaintiff and against the Defendant for attorney's fees in the amount of \$8,324.45. These fees shall be payable directly to the Plaintiff. They may be subject to offset to satisfy any pre-existing debt the Plaintiff may owe the United States. Plaintiff's Motion for Attorney's Fees. (Doc. No. 27) is deemed **MOOT**.

IT IS SO ORDERED.

Dated this 5th day of March, 2025.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court