

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

**Olga Malave,**

**Case No. 1:18cv2747**

**Plaintiff,**

**-vs-**

**JUDGE PAMELA A. BARKER**

**Andrew Saul,  
Commissioner of Social  
Security,**

**MEMORANDUM OPINION AND  
ORDER**

**Defendant**

On October 28, 2019, the Court issued a Memorandum Opinion & Order vacating and remanding the final decision of the Commissioner pursuant to 42 U.S.C. § 405(g), sentence four. (Doc. No. 22, 23.) On November 20, 2019, Plaintiff Olga Malave filed a Motion for attorney fees pursuant to the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412. (Doc. No. 24.) Shortly thereafter, on November 26, 2019, the parties filed a Joint Stipulation to Award EAJA Fees in the total amount of \$6,743.00. (Doc. No. 25.)

Plaintiff is hereby awarded EAJA fees in the total stipulated amount of \$6,743.00. This award will fully satisfy any and all of Plaintiff’s claims for fees, costs, and expenses under 28 U.S.C. § 2412, that may be payable in this case. Any fees paid belong to Plaintiff and can be offset to satisfy any pre-existing debt that Plaintiff owes the United States, pursuant to the decision in *Astrue v. Ratliff*, 560 U.S. 586 (2010). After the Court enters this award, if counsel for the parties can verify that

Plaintiff owes no pre-existing debts to the United States that are subject to offset, Defendant will direct that the award be made payable to Plaintiff's attorney pursuant to the attorney's fee assignment duly signed by Plaintiff and her counsel.<sup>1</sup>

In light of the parties' Joint Stipulation, Plaintiff's Motion for attorney fees (Doc. No. 24) is denied as moot.

**IT IS SO ORDERED.**

Date: November 26, 2019

*s/Pamela A. Barker*  
PAMELA A. BARKER  
U. S. DISTRICT JUDGE

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<sup>1</sup> The Court notes that Plaintiff's counsel submitted a copy of a Fee Agreement dated November 27, 2018. (Doc. No. 24-3.) Therein, Plaintiff consents to have all EAJA fees paid to her attorneys. (*Id.*)