

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

VIRGINIA A. JENSEN,	:	
	:	
Plaintiff,	:	Case No. 3:11cv00453
	:	
vs.	:	District Judge Thomas M. Rose
	:	Chief Magistrate Judge Sharon L. Ovington
	:	
MICHAEL J. ASTRUE,	:	
Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

This case is before the Court upon the parties' Joint Stipulation To An Award Under EAJA, the Equal Access to Justice Act, 28 U.S.C. §2412(d). (Doc. #21). The parties agree that Plaintiff is entitled to an EAJA award of attorney fees, costs, and expenses in the total amount of \$4,700.00. The parties have further agreed that the EAJA award in the agreed amount will settle all of Plaintiff's EAJA claims in this case.

Under the parties' agreement, any EAJA fees paid belong to Plaintiff and not her attorney and can be offset to satisfy pre-existing debt that Plaintiff owes the United States pursuant to *Astrue v. Ratliff*, 560 U.S. ___, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010).

Accordingly, the Court hereby **ORDERS** that:

1. The Parties' Joint Stipulation To An Award Under EAJA (Doc. #21) is accepted and the Commissioner shall pay Plaintiff's attorney fees, costs, and expenses in the total amount of \$4,700.00;
2. Defendant shall verify, **within thirty days of this Decision and Order**, whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel; and
3. Plaintiff's Motion For Attorney Fees Under Equal Access To Justice Act (Doc. #19) is DENIED as moot; and
4. The case remains terminated on the docket of this Court.

February 4, 2013

s/Thomas M. Rose

Thomas M. Rose
United States District Judge