

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

BRENDA CEARLEY,	:	
	:	
Plaintiff,	:	Case No. 3:14-cv-384
	:	
vs.	:	District Judge Thomas M. Rose
	:	Chief Magistrate Judge Sharon L. Ovington
CAROLYN W. COLVIN,	:	
Acting Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

---

**DECISION AND ORDER**

---

This case is before the Court upon the parties' Stipulation For Award Of Attorney Fees Under The Equal Access To Justice Act, 28 U.S.C. § 2412 (Doc. 16). The parties have jointly stipulated to, and petitioned for, an award of attorney fees, costs, and expenses in the total amount of \$3,000 in full satisfaction and settlement of any and all claims Plaintiff may have under the EAJA, 28 U.S.C. § 2412. The parties further agree that any EAJA fees paid belong to Plaintiff and can be offset to satisfy any pre-existing debt that Plaintiff owes the United States, pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 130 S.Ct. 2521 (2010).

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

1. The parties' Stipulation For Award Of Attorney Fees Under The Equal Access To Justice Act, 28 U.S.C. § 2421 (Doc. 16) is accepted, and Defendant shall pay Plaintiff's attorney fees, costs, and expenses under 28 U.S.C. § 2412 in the total amount of \$3,000.00;

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 direct that the award be made payable to Plaintiff's attorney pursuant to an EAJA assignment duly signed by Plaintiff and counsel; and
3. The case remains terminated on the docket of this Court.

**DONE** and **ORDERED** in Dayton, Ohio, this Monday, September 21, 2015.

s/Thomas M. Rose

---

THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE