

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

DWANNA FROST,	:	Case No. 3:15-cv-208
	:	
Plaintiff,	:	District Judge Walter Herbert Rice
	:	
vs.	:	Chief Magistrate Judge Sharon L. Ovington
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

This case is before the Court on the parties' Joint Stipulation for an Award of Attorney Fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Doc. 14). Specifically, the parties stipulate to and move for an award to Plaintiff of attorney fees in the amount of \$3,400.00 in full satisfaction and settlement of any and all claims for fees, expenses, and costs that Plaintiff may have under the EAJA, 28 U.S.C. § 2412, in the above-captioned case.

The parties further agree that any EAJA fees paid belong to Plaintiff and not her attorney, and said fees can be offset to satisfy pre-existing debt that Plaintiff owes the United States under *Astrue v. Ratliff*, 560 U.S. 586 (2010). However, if, after the Court enters the stipulated award, counsel for the parties can verify that Plaintiff owes no pre-existing debt subject to offset, Defendant agrees to direct that the award be made payable to Plaintiff's attorney pursuant to an EAJA assignment duly signed by Plaintiff and counsel.

IT IS THEREFORE ORDERED THAT:

1. The Parties' Joint Stipulation for an Award of EAJA Attorney Fees (Doc. 14) is accepted and the Commissioner shall pay Plaintiff's attorney fees, costs, and expenses in the total amount of \$3,400.00;
2. Counsel for the parties shall verify, **within thirty days of this Decision and Entry**, 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 pursuant to the EAJA assignment signed by Plaintiff and counsel; and
3. The case remains terminated on the docket of this Court.

IT IS SO ORDERED.

Date: 4-19-16



Walter Herbert Rice
United States District Judge