

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

PERCY COLLINS,	:	Case No. 3:16-cv-00074
	:	
Plaintiff,	:	District Judge Walter H. Rice
	:	
vs.	:	Magistrate Judge Sharon L. Ovington
	:	
NANCY A. BERRYHILL,	:	
Commissioner of the Social Security	:	
Administration,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

This case is before the Court on the parties' Joint Stipulation and Assignment for an Award of Attorney Fees under the Equal Access to Justice Act. (Doc. # 15).

Specifically, the parties stipulate and this Court for an awarding attorney fees in the amount of \$3,600 under the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412. The award will fully satisfy any and all claims for fees, costs, and expenses under 28 U.S.C. § 2412 that may be payable in this case.

The parties further agree that any EAJA fees paid belong to Plaintiff and can be offset to satisfy pre-existing debt that Plaintiff owes the United States, pursuant to the decision in *Astrue v. Ratliff*, 560 U.S. 586 (2010). 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 his counsel. Defendant will

direct the Treasury Department to mail any check in this matter to the business address of Plaintiff's counsel.

IT IS THEREFORE ORDERED THAT:

1. The Parties' Joint Stipulation and Assignment for an Award of Attorney Fees under the Equal Access to Justice Act (Doc. #15) is accepted, and the Commissioner shall direct that an award of Plaintiff's attorney fees, costs, and expenses in the total amount of \$3,600.00 be made payable to Plaintiff's counsel;
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.



Walter H. Rice
United States District Judge