

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

RUTH ANN MILLER,

Plaintiff,

Civil No. 09-337-HA

v.

ORDER

COMMISSIONER of Social Security,

Defendant.

HAGGERTY, District Judge:

This court concludes that counsel for plaintiff's Application for Fees [25] pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$7,499.99 is proper.

The application is granted as follows: It is ordered that the aforementioned attorney fee will be paid to plaintiff's attorney, dependent upon verification that plaintiff has no debt which qualifies for offset against the awarded fees, pursuant to the Treasury Offset Program as discussed in *Astrue v. Ratliff*, ___ U.S. ___, 130 S. Ct. 2521, 2527 (2010) (EAJA awards fees to the litigant,

subjecting the fee calculation "to a federal administrative offset if the litigant has outstanding federal debts.").

If plaintiff has no such debt, then the check shall be made out to plaintiff's attorney, Tim Wilborn, and mailed to this attorney's office at P.O. Box 2768, Oregon City, Oregon, 97045.

If plaintiff has such debt, then the check for any remaining funds after offset of the debt shall be made out to plaintiff and mailed to plaintiff's attorney's office at the address stated above.

IT IS SO ORDERED.

DATED this 7 day of February, 2011.

/s/ ANCER L. HAGGERTY
ANCER L. HAGGERTY
United States District Judge