

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

XAVIER CANALES,  
Plaintiff

3:10-CV-01200-HZ

vs.

ORDER

MICHAEL J. ASTRUE,  
Commissioner of Social Security,  
Defendant

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Based upon the stipulation of the parties, it is hereby ORDERED that attorney fees in the amount of \$4,418.50 shall be awarded to Plaintiff pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. The parties agree that attorney fees 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*, 130 S.Ct. 2521 (2010).

If Plaintiff has no such debt, then the check shall be made out to Plaintiff's attorney and mailed to Plaintiff's attorney's office as follows: Merrill Schneider, P.O. Box 14490, Portland, OR 97293. If Plaintiff has a debt, then the check for any remaining funds after offset of the debt shall be made to Plaintiff and mailed to Plaintiff's attorney's office at the address stated above.

DATED this 21<sup>st</sup> day of November, 2010.

/s/ Marco A. Hernandez

Marco A. Hernandez  
United States District Court Judge