

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARK ALLEN NICHOLSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 10-0725
	)	
MICHAEL J. ASTRUE,	)	CHIEF JUDGE GARY L. LANCASTER
Commissioner of	)	
Social Security,	)	ELECTRONICALLY FILED
	)	
Defendant.	)	

**ORDER**

AND NOW, this 9<sup>th</sup> day of Dec, 2011, upon consideration of Plaintiff's Petition for Equal Access to Justice Act ("EAJA") Fees, Defendant's Response, and Defendant's Motion to Alter or Amend Judgment, it is hereby

**ORDERED**

that Plaintiff, Mark Nicholson, is awarded \$4,346.88 in attorney's fees under the EAJA, 28 U.S.C. § 2412(a). Pursuant to this Order, the Commissioner will confer with the Department of Treasury to determine whether Plaintiff has any qualifying outstanding federal debt subject to be offset from the attorney fees. If Plaintiff has no outstanding federal debt, the Commissioner will honor Plaintiff's assignment of attorney fees to counsel and make the check payable to Plaintiff's counsel. However, if Plaintiff has an outstanding federal debt, the Commissioner will make the check payable to Plaintiff and deliver the check to the business address of Plaintiff's counsel. If

Plaintiff has an outstanding federal debt, the amount of any attorney fees payable to Plaintiff will be the balance of \$4,346.88 after offsetting the amount of Plaintiff's outstanding federal debt. If Plaintiff's outstanding federal debt exceeds \$4,346.88, the EAJA award will be used to offset Plaintiff's federal debt, and no attorney fees shall be paid.

  
J.