

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Michael C. Price,)	C/A No.: 1:13-1064-JFA
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Carolyn W. Colvin,)	
Commissioner of Social Security,)	
)	
Defendant.)	
_____)	

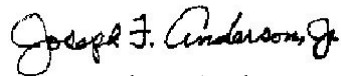
This matter is before the court upon motion of the plaintiff’s counsel, Robertson H. Wendt, Jr., for attorney fees pursuant to the Equal Access to Justice Act, (EAJA) 28 U.S.C. § 2412. Initially, the plaintiff requested fees of \$7,051.20 and costs in the amount of \$350. However, the parties have agreed to stipulate to an award of \$5,000 for fees and \$350 for costs. The Commissioner notes that this award should not be construed as a concession that the original administrative decision denying benefits to plaintiff was not substantially justified.

Upon review of the material submitted to the court, the plaintiff’s motion for attorney fees (ECF No. 41) is granted in part, with the payment of fees not to exceed the stipulated amount of \$5,000.

Payment of the fees and costs¹ noted herein shall constitute a complete release from and bar to any and all claims plaintiff may have relating to EAJA fees in connection with this action. This award is without prejudice to the right of plaintiff to seek attorney fees under Section 206(b) of the Social Security Act, subject to the offset provisions of the EAJA.

IT IS SO ORDERED.

September 15, 2014
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge

¹ Costs are paid from the Judgment Fund, rather than from agency funds. See 31 U.S.C. § 1304, 28 U.S.C. § 2412(c), 2444.