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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
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10 RACHEL WHITTING,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting
14 Commissioner of the Social Security
Administration,

15 Defendant.

CASE NO. 2:17-CV-00110-JRC

ORDER ON STIPULATED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES

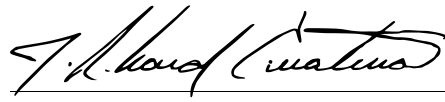
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17 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
18 Magistrate Judge Rule MJR 13. *See also* Notice of Initial Assignment to a U.S. Magistrate
19 Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge,
20 Dkt. 6. This matter is before the Court on plaintiff's Stipulated Motion for Attorney's Fees. *See*
21 Dkt. 18.

22 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the Stipulation of
23 the parties (*see* Dkt. 18), the attorney declaration and time and expense itemizations (Dkt. 18,
24 Attachments 2, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of

1 \$2,587.60, shall be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v.*
2 *Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at ***6-***7 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after the Order for
4 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined
5 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Victoria B.
7 Chhagen, Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney. *See*
8 Plaintiff's Declaration Regarding Net Worth and Payment of EAJA Fees and Federal Retainer
9 Agreement, Dkt. 18, Attachments 4, 5. If there is an offset, the remainder shall be made payable
10 to plaintiff, based on the practice of the Department of the Treasury. *See, e.g.,* Case No. 2:15-cv-
11 122, Dkt. 22, p. 4. Any check for EAJA fees shall be mailed to plaintiff's counsel, Victoria B.
12 Chhagen, Esq., at Douglas, Drachler, McKee & Gilbrough, 1904 Third Avenue, Seattle WA
13 98101.

14 Dated this 31st day of July, 2017.

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16 J. Richard Creatura
17 United States Magistrate Judge
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