

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

RACHEL WHITTING,

Plaintiff,

V.

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

Defendant.

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

ORDER ON STIPULATED  
MOTION FOR EQUAL ACCESS  
TO JUSTICE ACT FEES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local

**Magistrate Judge Rule MJR 13. *See also* Notice of Initial Assignment to a U.S. Magistrate**

Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge

Dkt. 6 This matter is before the Court on plaintiff's Stipulated Motion for Attorney's Fees. See

Dkt. 18

Dkt. 18.

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (“EAJA”), the Stipulation of the parties (*see* Dkt. 18), the attorney declaration and time and expense itemizations (Dkt. 18, 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.

15   
16 J. Richard Creatura  
17 United States Magistrate Judge