

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9

10 CHARLENE A. SMITH,

11 Plaintiff,

12 v.

13 NANCY A BERRYHILL, Deputy
14 Commissioner of Social Security for
Operations,

15 Defendant.

CASE NO. 2:17-CV-00873-DWC

ORDER ON MOTION FOR
ATTORNEY FEES AND
EXPENSES PURSUANT TO 28
U.S.C. § 2412

16 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
17 Magistrate Judge Rule MJR 13. *See also* Consent to Proceed before a United States Magistrate
18 Judge, Dkt. 5. This matter is before the Court on “Plaintiff’s Motion for Attorney’s Fees and
19 Expenses Pursuant to 28 U.S.C. § 2412.” Dkt. 18. Defendant does not object to Plaintiff’s
20 motion. *See* Dkt. 19.

21 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (“EAJA”), Plaintiff’s
22 motion and declaration (Dkt. 18), and the relevant record, the Court orders EAJA attorney’s fees
23
24

1 of \$5,760.44 and expenses in the amount of \$5.70 (“EAJA Award”) be awarded to Plaintiff.
2 *Astrue v. Ratliff*, 560 U.S. 586, 591–97 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after this Order is
4 entered to determine if the EAJA Award is subject to any offset. If the U.S. Department of the
5 Treasury verifies to the Office of General Counsel that Plaintiff does not owe a debt, the
6 government will honor Plaintiff’s assignment of EAJA Award and pay the EAJA Award directly
7 to Eitan Kassel Yanich, Plaintiff’s counsel. If there is an offset, any remainder shall be made
8 payable to Plaintiff, based on the Department of the Treasury’s Offset Program and standard
9 practices, and the check shall be mailed to Plaintiff’s counsel, Eitan Kassel Yanich, Eitan Kassel
10 Yanich, PLLC, 203 Fourth Avenue E., Suite 321, Olympia, WA 98501.

11 Dated this 11th day of July, 2018.

12 

13 David W. Christel
14 United States Magistrate Judge