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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

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10 THERESA ANNE CLARK,
11 Plaintiff,

12 v.

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

CASE NO. 2:17-cv-0950-JRC

ORDER ON STIPULATED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES, COSTS
AND EXPENSES

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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. 3). This matter is before the Court on plaintiff's Stipulated Motion for EAJA Fees,
19 Costs and Expenses (*see* Dkt. 16).

20 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the stipulation of
21 the parties (*see* Dkt. 16), plaintiff's petition and supporting attorney affidavit with time, costs and
22 expense itemizations (Dkt. 16, Attachment 1), and the relevant record, it is hereby ORDERED
23 that EAJA attorney's fees of \$6,727.00 and expenses in the amount of \$3.43, shall be awarded to
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1 plaintiff pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010
2 U.S. LEXIS 4763 at ***6-***7 (2010).

3 It is further ORDERED that costs in the amount of \$407.80 shall be awarded to plaintiff
4 pursuant to 28 U.S.C. § 1920.

5 The Acting Commissioner shall contact the Department of Treasury after the Order for
6 EAJA fees, expenses and costs is entered to determine if the EAJA fees, expenses and costs are
7 subject to any offset. If it is determined that plaintiff's EAJA fees, expenses and costs are not
8 subject to any offset allowed pursuant to the Department of the Treasury's Offset Program, then
9 the check for EAJA fees, expenses and costs shall be made payable to Rosemary B. Schurman,
10 Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney. If there is an
11 offset, the remainder shall be made payable to plaintiff, based on the practice of the Department
12 of the Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees,
13 expenses and costs shall be mailed to plaintiff's counsel, Rosemary B. Schurman, Esq., at 8123
14 NE 115 Way, Kirkland, WA 98034.

15 Dated this 13th day of April, 2018.

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17 J. Richard Creatura
18 United States Magistrate Judge
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