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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DARLING REYNOLDS,)	
)	CIVIL NO. 11-cv-05185-JRC
)	
Plaintiff,)	ORDER ON STIPULATION FOR EQUAL
)	ACCESS TO JUSTICE ACT FEES, COSTS
vs.)	AND EXPENSES
)	
MICHAEL J. ASTRUE, Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	
)	
)	

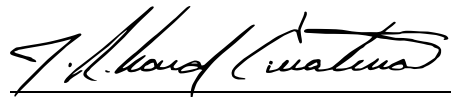
This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (see also Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, ECF No. 5; Consent to Proceed Before a United States Magistrate Judge, ECF No. 8). This matter is before the Court on plaintiff’s Agreed Stipulated Motion for EAJA Fees, Costs and Expenses (see ECF No. 22).

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (hereinafter “EAJA”), the Stipulation of the parties and Plaintiff’s Petition for Award of Attorney’s Fees, Costs & Expenses (ECF No. 22, Attachment 1), it is hereby ORDERED that EAJA attorney’s fees of \$4,595.46 and

1 expenses in the amount of \$19.68 (service by certified mail) shall be awarded to plaintiff pursuant
2 to the EAJA, 28 U.S.C. § 2412, and that costs of \$81.00 (copies) shall be awarded to plaintiff
3 pursuant to 28 U.S.C. § 1920, for a **total of \$4,696.14**.

4 The EAJA award is subject to any applicable government offset to satisfy any pre-existing
5 debt that plaintiff owes the United States. See Astrue v. Ratliff, 130 S.Ct. 2521, 2524, 2010 U.S.
6 LEXIS 4763 at ***6-***7 (2010). Defendant has agreed to contact the Department of Treasury
7 after the order for EAJA fees and expenses in entered in order to determine whether or not the
8 EAJA fees and expenses award is subject to any offset. If the EAJA award is not subject to any
9 offset, based on the assignment of this award to plaintiff's attorney by plaintiff, the EAJA award
10 then shall be made payable to plaintiff's attorney, Rosemary B. Schurman (see Stipulated Motion,
11 ECF No. 22, p. 2; see also Plaintiff's Petition for Award of Attorney's Fees, Costs & Expenses,
12 ECF No. 22, Attachment 1, p. 2). The same shall apply for any remainder following any applicable
13 offset. The award for attorney's fees, costs and expenses shall be delivered to plaintiff's counsel,
14 Rosemary B. Schurman.
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16 DATED this 17th day of October, 2011.
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20 J. Richard Creatura
21 United States Magistrate Judge
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