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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 DANIEL P. JOSLYN,

11 Plaintiff,

12 v.

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

15 Defendant.

CASE NO. 3:14-CV-05277-JRC

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

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* Notice of Initial Assignment to a U.S. Magistrate Judge
18 and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).

19 This matter is before the Court on plaintiff's Motion for Attorney's Fees, Costs, and Expenses
20 Pursuant to 28 U.S.C. § 2412 (*see* Dkt. 28). Defendant has no objections to plaintiff's motion
21 (*see* Dkt. 29).

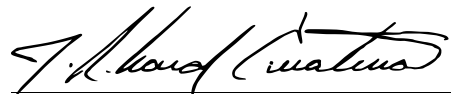
22 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion
23 (*see* Dkt. 28), the attorney declaration and time and expense itemizations (Dkt. 28, Attachments
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1 2, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of \$12,204.48
2 and expenses in the amount of \$32.17, shall be awarded to plaintiff pursuant to the EAJA and
3 consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at ***6-***7
4 (2010).

5 It is further ORDERED that costs in the amount of \$292.40 shall be awarded to plaintiff
6 pursuant to 28 U.S.C. § 1920.

7 The Acting Commissioner shall contact the Department of Treasury after the Order for
8 EAJA fees, expenses and costs is entered to determine if the EAJA fees, expenses and costs are
9 subject to any offset. If it is determined that plaintiff's EAJA fees, expenses and costs are not
10 subject to any offset allowed pursuant to the Department of the Treasury's Offset Program, then
11 the check for EAJA fees, expenses and costs shall be paid directly to plaintiff's attorney, Eitan
12 Kassel Yanich, Esq., either by direct deposit or by check payable to him, based on plaintiff's
13 assignment of these amounts to plaintiff's attorney (*see* Plaintiff's Declaration Regarding Net
14 Worth and Payment of EAJA Fees, Dkt. 27). If there is an offset, the remainder shall be made
15 payable to plaintiff, based on the practice of the Department of the Treasury (*see, e.g.*, Case No.
16 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees, expenses and costs shall be mailed to
17 plaintiff's counsel, Eitan Kassel Yanich, Esq., at Law Office of Eitan Kassel Yanich, PLLC, 203
18 Fourth Avenue E., Suite 321, Olympia, WA 98501.

19 Dated this 23rd day of April, 2018.

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21 J. Richard Creatura
22 United States Magistrate Judge
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