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

10 ELLEN K. KENNETT,

11 Plaintiff,

12 v.

13 CAROLYN W. COLVIN, Acting
14 Commissioner of the Social Security
Administration,

15 Defendant.

CASE NO. 3:14-cv-05770 JRC

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

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).

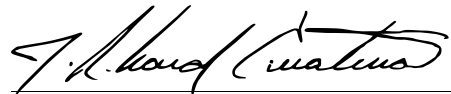
19 This matter is before the Court on plaintiff's Motion for Equal Access to Justice Act Fees and
20 Expenses Pursuant to 28 U.S.C. § 2412 (*see* Dkt. 22). Defendant has no objection to plaintiff's
21 motion (*see* Dkt. 23).

22 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion
23 (*see* Dkt. 22), the attorney declaration and time and expense itemizations (Dkt. 22, Attachments
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1 2 and 3), and the relevant record, it is hereby ORDERED that EAJA fees of \$6,300.71 and
2 expenses in the amount of \$28.39, 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 The Acting Commissioner shall contact the Department of Treasury after the Order for
6 EAJA fees and expenses is entered to determine if the EAJA fees and expenses are subject to any
7 offset. If it is determined that plaintiff's EAJA fees and expenses are not subject to any offset
8 allowed pursuant to the Department of the Treasury's Offset Program, then the check for EAJA
9 fees and expenses shall be made payable to Eitan Kassel Yanich, Esq., based on plaintiff's
10 assignment of these amounts to plaintiff's attorney (*see* Plaintiff's Declaration Regarding Net
11 Worth and Payment of EAJA Fees, Dkt. 21) and paid directly to plaintiff's attorney, either by
12 direct deposit or by check payable to him. If there is an offset, the remainder shall be made
13 payable to plaintiff, based on the practice of the Department of the Treasury (*see, e.g.*, Case No.
14 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees and expenses shall be mailed to plaintiff's
15 counsel, Eitan Kassel Yanich, Esq., at Law Office of Eitan Kassel Yanich, PLLC 203 Fourth
16 Avenue E., Suite 321, Olympia, WA 98501.

17 Dated this 18th day of November, 2015.

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20 J. Richard Creatura
21 United States Magistrate Judge
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