

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

10 LORI MARIE WEBB,

11 Plaintiff,

12 v.

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

14
15 Defendant.

CASE NO. 15-cv-05098 JRC

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

16
17 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
18 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge
and Consent Form, Dkt. 3; Consent to Proceed Before a United States Magistrate Judge, Dkt. 4).

19 This matter is before the Court on plaintiff's Stipulated Motion for EAJA Fees and Costs (*see*
20 Dkt. 26).

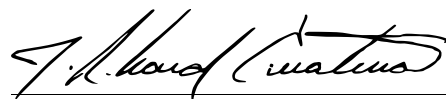
21 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the Stipulation of
22 the parties (*see* Dkt. 26), attorney Declaration and time and expense itemizations (Dkt. 26,
23 Attachments 2, 3, 4, 5), and the relevant record, it is hereby ORDERED that EAJA attorney's
24

1 fees of \$7,378.55 (which is for work performed by Jeffrey Baird in the amount of \$6,259.44 plus
2 work performed by Elie Halpern in the amount of \$1,119.11) and expenses in the amount of
3 \$31.19 (for postage and long distance calls) shall be awarded pursuant to the Equal Access to
4 Justice Act, 28 U.S.C. § 2412(d), and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524,
5 2010 U.S. LEXIS 4763 at ***6-***7 (2010).

6 It is further ORDERED that costs in the amount of \$423.40 (for photocopies and filing
7 fee) shall be awarded to plaintiff pursuant to 28 U.S.C. § 1920.

8 The Acting Commissioner agrees to contact the Department of Treasury after the Order
9 for EAJA fees and expenses and for costs is entered to determine if the EAJA fees, expenses and
10 costs are subject to any offset. If it is determined that plaintiff's EAJA fees, expenses and costs
11 are not subject to any offset allowed pursuant to the Department of the Treasury's Offset
12 Program, then the check for EAJA fees, expenses and for costs shall be made payable to Elie
13 Halpern, Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney (*see*
14 Plaintiff's Declaration Regarding Net Worth and Payment of EAJA Fees, Dkt. 11 and Federal
15 Court Retainer Agreement, Dkt. 26, Attachment 6). If there is an offset, the remainder shall be
16 made payable to plaintiff, based on the practice of the Department of the Treasury (*see, e.g.,*
17 Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees, expenses and costs shall be
18 mailed to plaintiff's counsel, Elie Halpern, Esq., at Elie Halpern & Associates, PLLC, 1800
19 Cooper Pt. Road SW, Bldg. 19, Olympia, WA 98502.

20 Dated this 8th day of December, 2015.

21
22 
23 J. Richard Creatura
24 United States Magistrate Judge