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

10 EDWARD EARL MOONEY,

11 Plaintiff,

12 v.

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

15 Defendant.

CASE NO. 3:15-cv-05211 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. 7).

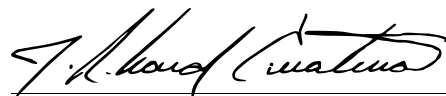
19 This matter is before the Court on plaintiff's Unopposed Motion for Equal Access to Justice Act
20 Fees and Expenses (*see* Dkt. 25).

21 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion
22 (*see* Dkt. 25), the attorney declaration and time and expense itemizations (Dkt. 25, Attachments
23 1, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of \$7,338.68
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1 and expenses in the amount of \$20.10, for a total award of \$7,358.78, shall be awarded to
2 plaintiff pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010
3 U.S. LEXIS 4763 at ***6-***7 (2010).

4 The Acting Commissioner shall contact the Department of Treasury after the Order for
5 EAJA fees and expenses is entered to determine if the EAJA fees and expenses are subject to any
6 offset. If it is determined that plaintiff's EAJA fees and expenses are not subject to any offset
7 allowed pursuant to the Department of the Treasury's Offset Program, then the check for EAJA
8 fees and expenses shall be made payable to Charles W. Talbot, Esq., based on plaintiff's
9 assignment of these amounts to plaintiff's attorney (*see* Attorney-Client Agreement re Social
10 Security Disability, Dkt. 25, Attachment 2). If there is an offset, the remainder shall be made
11 payable to plaintiff, based on the practice of the Department of the Treasury (*see, e.g.*, Case No.
12 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees and expenses shall be mailed to plaintiff's
13 counsel, Charles W. Talbot, Esq., at Talbot & Associates, P.S., 5005 Center Street, Suite E,
14 Tacoma, Washington 98409.

15 Dated this 13th day of January, 2016.

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17 J. Richard Creatura
18 United States Magistrate Judge