

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SHEILA GARCIA,

Plaintiff,

V.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

CASE NO. 3:16-CV-05763-DWC

ORDER DIRECTING PLAINTIFF TO
PROVIDE ADDITIONAL
DOCUMENTATION

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, Dkt. 3; Consent to Proceed Before a United States Magistrate Judge, Dkt. 5.

This matter is before the Court on Plaintiff's Stipulated Motion for Attorney Fees Pursuant to 28 U.S.C. § 2412(D). Dkt. 18.

An application for attorney's fees under the Equal Access to Justice Act ("EAJA") must include "an itemized statement from any attorney . . . stating the actual time expended and the rate at which fees and other expenses were computed." 28 U.S.C. § 2412(d)(1)(B). An application must also include an affidavit reflecting Plaintiff's net worth did not exceed

1 \$2,000,000.00 at the time the civil action was filed. *See* 28 U.S.C. § 2412(d)(2)(B). Finally, as
2 the EAJA awards attorney's fees to "the prevailing party," an application for fees payable
3 directly to a plaintiff's attorney must include an assignment of the EAJA fee award from the
4 plaintiff to his or her attorney. *See* 28 U.S.C. § 2412(d)(1)(A); *Astrue v. Ratliff*, 560 U.S. 586,
5 598 (2010).

6 The Motion did not include an: (1) itemized statement from Plaintiff's attorney
7 representing the hours expended and the hourly rate; (2) affidavit reflecting her net worth did not
8 exceed \$2,000,000.00 at the time the civil action was filed; and (3) assignment of the EAJA fee
9 award. *See* Dkt. 18. Plaintiff is directed to provide to the Court with the above identified
10 documents on or before June 12, 2017.

11 Dated this 22nd day of May, 2017.

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14 David W. Christel
15 United States Magistrate Judge
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