

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

SHEILA GARCIA,

Plaintiff,

V.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

CASE NO. 3:16-cv-05763 DWC

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

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* 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, Expenses, and Costs." Dkt. 178

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (“EAJA”), the Stipulation of the parties (Dkt. 18), attorney time itemization (Dkt. 20-1), and the relevant record, the Court orders EAJA attorney’s fees of \$5,337.24, and costs, pursuant to 28 U.S.C. § 1920, of \$400.00, for a total of \$5,737.24 (“EAJA Award”) be awarded to Plaintiff. *Astrue v. Ratliff*, 560 U.S. 586, 591–97 (2010). Plaintiff’s attorney will refund to Plaintiff any money paid toward the costs.

1 The Acting Commissioner shall contact the Department of Treasury after this Order is
2 entered to determine if the EAJA Award is subject to any offset. If the U.S. Department of the
3 Treasury verifies to the Office of General Counsel that Plaintiff does not owe a debt, the
4 government will honor Plaintiff's assignment of EAJA Award and pay the EAJA Award directly
5 to Christopher Dellert, Plaintiff's counsel. If there is an offset, any remainder shall be made
6 payable to Plaintiff, based on the Department of the Treasury's Offset Program and standard
7 practices, and the check shall be mailed to Plaintiff's counsel, Christopher Dellert, Dellert Baird
8 Law Offices, PLLC, P.O. Box 97301, Lakewood, WA 98497.

9 Dated this 24th day of May, 2017.

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11 David W. Christel
12 United States Magistrate Judge
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