

1 U.S. MAGISTRATE JUDGE BRIAN A. TSUCHIDA  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

9 RALPH D. PLOIUM, )  
10 vs. Plaintiff, ) NO. 3:16-cv-5881-BAT  
11 NANCY A. BERRYHILL, ) ORDER GRANTING PLAINTIFF'S  
12 Acting Commissioner of Social Security, ) UNOPPOSED MOTION FOR RELIEF  
13 ) PURSUANT TO FRCP 60(b), AND  
14 ) AWARDING ADDITIONAL EAJA FEES  
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23 )  
Defendant. )

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THIS MATTER having come on regularly before the undersigned upon Plaintiff's  
Unopposed Motion for Relief Pursuant to FRCP 60(b), good cause having been shown, now,  
therefore, it is hereby

ORDERED that Plaintiff's Order for Relief Pursuant to FRCP 60(b) is hereby granted; it  
is further

ORDERED that Plaintiff is hereby awarded additional EAJA fees in the amount of  
\$4,798.81. Subject to any offset allowed under the Treasury Offset Program, as discussed in *Astrue*  
*v. Ratliff*, 130 S. Ct. 2521, 2528 (2010), payment of this award shall be sent to Plaintiff's attorney

ORDER GRANTING PLAINTIFF'S UNOPPOSED  
MOTION FOR RELIEF PURSUANT TO FRCP 60(b),  
AND AWARDING ADDITIONAL EAJA FEES - [3:16-cv-  
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Law Office of Eitan Kassel Yanich, PLLC  
203 Fourth Avenue E., Suite 321  
Olympia, WA. 98501  
(360) 705-1226

1 Eitan Kassel Yanich at his address: Eitan Kassel Yanich, PLLC, 203 Fourth Avenue E., Suite 321,  
2 Olympia, WA. 98501.

3 After the Court issues the order for EAJA fees, the Commissioner will consider the matter  
4 of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's attorney. Pursuant to *Astrue v.*  
5 *Ratliff*, the ability to honor the assignment will depend on whether the EAJA fees and expenses  
6 are subject to any offset allowed under the Treasury Offset Program. The Commissioner agrees  
7 to contact the Department of Treasury after the order for EAJA fees and expenses is entered to  
8 determine whether the EAJA fees and expenses are subject to any offset. If the EAJA fees and  
9 expenses are not subject to any offset, the EAJA attorney's fees and expenses will be paid directly  
10 to plaintiff's attorney Eitan Kassel Yanich, either by direct deposit or by check payable to him and  
11 mailed to his address.

12 DATED this 20th day of November, 2017.

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15 BRIAN A. TSUCHIDA  
16 United States Magistrate Judge

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18 Presented by:  
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21 S/EITAN KASSEL YANICH  
22 EITAN KASSEL YANICH, WSBA #13690  
23 Attorney for Plaintiff

ORDER GRANTING PLAINTIFF'S UNOPPOSED  
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(360) 705-1226