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

10 TONYA JONES,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting  
14 Commissioner of the Social Security  
Administration,

15 Defendant.

CASE NO. 3:16-cv-06048 JRC

ORDER ON STIPULATED  
MOTION FOR EQUAL ACCESS  
TO JUSTICE ACT FEES

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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. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6.

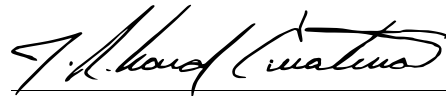
19 This matter is before the Court on plaintiff's Stipulated Motion for Equal Access to Justice Act  
20 Fees. *See* Dkt. 24.

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

1 \$3,940.31, shall be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v.*  
2 *Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at \*\*\*6-\*\*\*7 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after the Order for  
4 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined  
5 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the  
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Janet Leanne  
7 Martinez, Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney. *See*  
8 Plaintiff's Declaration Regarding Net Worth and Payment of EAJA Fees, Dkt. 24, Attachment 4.  
9 If there is an offset, the remainder shall be made payable to plaintiff, based on the practice of the  
10 Department of the Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA  
11 fees shall be mailed to plaintiff's counsel, Janet Leanne Martinez, Esq., at Douglas, Drachler,  
12 McKee & Gilbrough, 1904 3<sup>rd</sup> Avenue, Suite 1030, Seattle, WA 98101.

13 Dated this 17th day of July, 2017.

14 

15 J. Richard Creatura  
16 United States Magistrate Judge