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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

NICHOLE MARIE BENNETT,

Plaintiff,

v.

NANCY A. BERRYHILL, Deputy  
Commissioner of Social Security for  
Operations,

Defendant.

CASE NO. 3:17-CV-05548-JRC

ORDER ON STIPULATED  
MOTION FOR EQUAL ACCESS  
TO JUSTICE ACT FEES,  
EXPENSES 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. 4). This matter is before the Court on plaintiff’s Stipulated Motion for Equal Access to Justice Act Fees and Costs (*see* Dkt. 26).

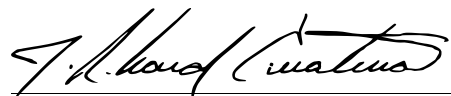
Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (“EAJA”), the Stipulation of the parties (*see* Dkt. 26), and the relevant record, it is hereby ORDERED that EAJA attorney’s fees of \$7,497.70 and expenses in the amount of \$5.69, shall be awarded to plaintiff pursuant to

1 the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at  
2 \*\*\*6-\*\*\*7 (2010).

3 It is further ORDERED that costs in the amount of \$414.00 shall be awarded to plaintiff  
4 pursuant to 28 U.S.C. § 1920.

5 The Acting Commissioner shall contact the Department of Treasury after the Order for  
6 EAJA fees, expenses and costs is entered to determine if the EAJA fees, expenses and costs are  
7 subject to any offset. If it is determined that plaintiff's EAJA fees, expenses and costs are not  
8 subject to any offset allowed pursuant to the Department of the Treasury's Offset Program, then  
9 the check for EAJA fees, expenses and costs shall be made payable to Teal M. Parham, based on  
10 plaintiff's assignment of these amounts to plaintiff's attorney. If there is an offset, the remainder  
11 shall be made payable to plaintiff, based on the practice of the Department of the Treasury (*see*,  
12 *e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees, expenses and costs shall be  
13 mailed to plaintiff's counsel, Teal M. Parham, at 910 12<sup>th</sup> Avenue – PO Box 757, Longview, WA  
14 98632.

15 Dated this 28th day of June, 2018.

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17 J. Richard Creatura  
18 United States Magistrate Judge  
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