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

10 JAMES R. KOEN,

11 Plaintiff,

12 v.

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

15 Defendant.

CASE NO. 3:17-CV-5575 JRC

ORDER ON UNOPPOSED  
MOTION FOR EQUAL ACCESS  
TO JUSTICE ACT FEES AND  
EXPENSES

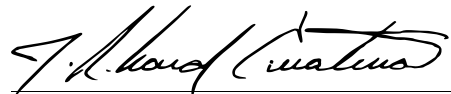
16 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local  
17 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge  
18 and Consent Form, Dkt. 1; Consent to Proceed Before a United States Magistrate Judge, Dkt. 2).  
19 This matter is before the Court on plaintiff's Unopposed Motion for Equal Access to Justice Act  
20 Fees and Expenses (*see* Dkt. 17, 18).

21 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the attorney  
22 declaration and time and expense itemizations (Dkt. 17-2, 17-3), and the relevant record, it is  
23 hereby ORDERED that EAJA attorney's fees of \$6,346.22 and expenses in the amount of \$5.70,  
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1 shall be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct.  
2 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 and expenses is entered to determine if the EAJA fees and expenses are subject to any  
5 offset. If it is determined that plaintiff's EAJA fees are not subject to any offset allowed  
6 pursuant to the Department of the Treasury's Offset Program, then the check for EAJA fees shall  
7 be made payable to Eitan Kassel Yanich, based on plaintiff's assignment of these amounts to  
8 plaintiff's attorney (*see* Plaintiff's Declaration Regarding Net Worth and Payment of EAJA Fees,  
9 Dkt. 16). If there is an offset, the remainder shall be made payable to plaintiff, based on the  
10 practice of the Department of the Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any  
11 check for EAJA fees shall be mailed to plaintiff's counsel, Eitan Kassel Yanich, at 203 Fourth  
12 Avenue E., Suite 321, Olympia, WA 98501.

13 Dated this 5th day of September, 2018.

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17 J. Richard Creatura  
18 United States Magistrate Judge  
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