

1 U.S. DISTRICT JUDGE RICARDO S. MARTINEZ  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 SONYA R. STANDARD, )  
11 Plaintiff, ) CIVIL NO. 3:21-cv-05667-RSM  
12 vs. )  
13 COMMISSIONER OF SOCIAL SECURITY, )  
14 Defendant )  
 )

15 This matter comes before the Court on the parties' stipulated motion for attorney's fees  
16 pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412

17 The motion is timely as Plaintiff had a 60-day appeal period, plus the 30-day period in  
18 §2412(d)(1)(B), from the entry of final judgement on February 11, 2022 to file a timely EAJA  
19 application. *Akopyan v. Barnhart*, 296 F.3d 852 (9<sup>th</sup> Cir. 2002); *Melkonyan v. Sullivan*, 501 U.S.  
20 89, 94-96 (1991); FED. R. App. P. 4(a). Furthermore, upon review of the stipulation and the  
21 record, the Court determines that Plaintiff is the prevailing party, the government's position was  
22 not substantially justified, and that the itemization of attorney time spent is reasonable. In short,  
23 the requirements of § 2412(d)(1)(B) are met.

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25 ORDER FOR EAJA FEES - 1

David Oliver & Associates  
2608 South 47<sup>th</sup> Street, Suite C  
Tacoma, WA 98409  
(253) 472-4357  
david@sslawyer.org

Having thoroughly considered the parties' briefing and the relevant record, the Court hereby GRANTS the motion and awards Plaintiff \$6,038.84 in attorney's fees, subject to any offset allowed under the Treasury Offset Program. *See. Astrue v. Ratliff*, 560 U.S. 586, 589 – 590 (2010). Payment of EAJA fees shall be sent to Plaintiff's attorney by either EFT or check: David Oliver at David Oliver & Associates, 2608 South 47<sup>th</sup> Street, Suite C, Tacoma, WA 98409. Pursuant to *Ratliff*, award shall be payable to Plaintiff's attorneys, David Oliver at David Oliver & Associates, if the Commissioner confirms that Plaintiff owes no debt to the Government through the Federal Treasury Offset program.

For the foregoing reasons, Plaintiff's stipulated motion for attorney fees is GRANTED;

DATED this 9<sup>th</sup> day of May, 2022.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

S/David P. OLIVER  
David P. Oliver,  
Attorney for Plaintiff

ORDER FOR EAJA FEES - 2

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