

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES A. McCAIN,

Plaintiff,

ORDER

v.

11-cv-132-bbc

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

The parties have filed a joint motion for attorney fees under the Equal Access to Justice Act, 28 U.S.C. 2412, in the amount of \$7,500, in full satisfaction of any claims for fees for costs in this case.

Further, the parties agree that the award may be paid to plaintiff's counsel but may be offset to satisfy any pre-existing debt owed by plaintiff McCain to the United States pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (2010).

After entry of this order, if counsel for the parties can verify that plaintiff owes no pre-existing debt subject to offset, defendant will direct that the award be made payable to plaintiff's counsel under the EAJA assignment signed by plaintiff and his counsel.

ORDER

IT IS ORDERED that plaintiff James A. McCain is awarded attorney fees and costs in the amount of \$7,500. This amount is to be made payable to plaintiff's attorney, Dana W. Duncan, contingent upon payment of money owed to the United States.

Entered this 17th day of April, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge