

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

LINDA D. CATLIN,

Plaintiff,

v.

ANDREW SAUL,
Commissioner of Social Security,

Defendant.

Case No. 19-4065-DDC

MEMORANDUM AND ORDER

Plaintiff Linda D. Catlin filed an “Application for Attorney Fees Pursuant to the Equal Access to Justice Act (EAJA)” (Doc. 28). She seeks attorney’s fees under 28 U.S.C. § 2412(d) in the amount of \$5,590.60 plus \$45.72 in costs. The court grants the request in part.

After plaintiff filed her request, the parties alerted the court that they reached consensus on the fees issue. They propose an award of \$5,500. The court finds that amount reasonable given the parties’ agreement, plaintiff’s application (Doc. 28), and the underlying case. The court concludes that reimbursement of \$5,500 should be made for plaintiff’s attorney’s fees.

The EAJA attorney’s fee award is payable to plaintiff as the litigant and may be subject to offset to satisfy any pre-existing debt the litigant may owe to the United States. *Astrue v. Ratliff*, 560 U.S. 586, 589 (2010). If plaintiff’s counsel also receives an award of attorney’s fees under 42 U.S.C. § 406(b), she must refund the smaller award to plaintiff. *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

IT IS THEREFORE ORDERED BY THE COURT THAT plaintiff Linda D. Catlin’s “Application for Attorney Fees Pursuant to the Equal Access to Justice Act (EAJA)” (Doc. 28) is

granted in part. Under 28 U.S.C. § 2412, plaintiff is granted attorney's fees in the amount of \$5,500 and costs in the amount of \$0. The check for attorney's fees should be made payable to plaintiff and mailed to her attorney's address.

IT IS SO ORDERED.

Dated this 19th day of February 2021, at Kansas City, Kansas.

s/ Daniel D. Crabtree
Daniel D. Crabtree
United States District Judge