

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>ROSEMARY C.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>1:17-cv-00282-JDL</b>
	)	
<b>NANCY A. BERRYHILL</b>	)	
<b>Acting Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER ACCEPTING THE RECOMMENDED DECISION OF THE  
MAGISTRATE JUDGE**

The United States Magistrate Judge, John H. Rich III, filed his Recommended Decision (ECF No. 36) on Rosemary C.'s disability benefits appeal with the Court on December 19, 2018, pursuant to 28 U.S.C.A. § 636(b)(1)(B) (2018) and Fed. R. Civ. P. 72(b). The time within which to file objections expired on January 2, 2019, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

Having reviewed and considered the Magistrate Judge's Recommended Decision, I concur with the Magistrate Judge's conclusions as set forth in his Recommended Decision. In adopting the Recommended Decision, I provide the following clarification regarding Section D, titled "Future Adjustment of Rate for Social Security Paralegals," which provides that paralegal rates will be adjusted in future cases using the same index (PPI/Legal Index) applied in this case. *See* ECF No. 36 at 13. As precedent of this court, the decision in this case may be considered as persuasive authority in future cases addressing paralegal rates, but it is not

binding. *See United States v. Baez*, 878 F. Supp. 2d 288, 295 (D. Mass. 2012), *aff'd*, 744 F.3d 30 (1st Cir. 2014) (“[B]inding precedent, in the absence of a Supreme Court decision on a point of law, is established in the federal system by the United States Circuit Courts of Appeal. While perhaps persuasive, decisions of the federal district courts are not binding on any parties other than those in the case generating that particular decision.”).

It is therefore **ORDERED** that the Recommended Decision (ECF No. 36) of the Magistrate Judge is hereby **ACCEPTED** and the motion for attorney’s fees is **GRANTED IN PART and DENIED IN PART**.

**SO ORDERED.**

**Dated this 5th day of February, 2019.**

/s/ Jon D. Levy  
**CHIEF U.S. DISTRICT JUDGE**