

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>JENNIFER B.</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 1:20-cv-00469-JDL</b>
	)	
<b>KILOLO KIJAKAZI,</b>	)	
<b>Acting Commissioner,</b>	)	
<b>Social Security Administration,</b>	)	
	)	
<b>Defendant.</b>	)	

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

Plaintiff Jennifer B. filed a Motion for Attorney’s Fees (ECF No. 33) pursuant to 42 U.S.C.A. § 406(b) (West 2023), after I vacated the Commissioner’s final administrative decision in the underlying case and remanded the case for further proceedings (ECF Nos. 29, 30). The parties do not dispute that the Plaintiff is entitled to reasonable fees under section 406(b), which permits attorney’s fees not exceeding “25 percent of the total of the past-due benefits” award issued pursuant to a judgment under Title 42, Subchapter II of the United States Code. 42 U.S.C.A. § 406(b)(1)(A). However, the Commissioner questions the timeliness of Plaintiff’s motion (ECF No. 34).

On July 10, 2023, United States Magistrate Judge Karen Frink Wolf, filed her Recommended Decision (ECF No. 36) on the instant motion pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2023) and Fed. R. Civ. P. 72(b). Neither party objected to the

Recommended Decision, which concluded with a notice to the parties that failure to object would waive their right to *de novo* review and appeal.

Notwithstanding this waiver, I have reviewed the Recommended Decision, together with the entire record, *de novo*, and considered all matters adjudicated therein. I concur with the Magistrate Judge's recommendations as set forth in her Recommended Decision and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Magistrate Judge's Recommended Decision (ECF No. 36) is hereby **ACCEPTED**, and the Plaintiff's Motion (ECF No. 33) is **GRANTED** as follows: attorney's fees and costs are awarded in the amount of \$7,530.87.

**SO ORDERED.**

**Dated this 30th day of August, 2023.**

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