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

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Patrick Fitzgerald Watkins,
Plaintiff,

No. CV-16-00168-PHX-DLR

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ORDER

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v.

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Commissioner of Social Security
Administration,

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Defendant.

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Plaintiff Patrick Watkins applied for supplemental security income in November 2011. (AR 22, 166-74.) The applications were denied. (AR 1-3, 15-35.) Plaintiff thereafter sought judicial review, and on March 31, 2017 the Court reversed Defendant’s decision and remanded the case for an award of benefits. (Docs. 1, 23.)

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Counsel for Plaintiff has filed a motion for award of attorney’s fees in the amount of \$11,688.50. (Doc. 27.) Defendant has no objection to the motion. (Doc. 28.) For reasons stated below, the motion is granted.

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Counsel seeks a fee award pursuant to 42 U.S.C. § 406(b), which “provides that whenever the Court renders a favorable judgment to a social security claimant, the Court can award reasonable attorneys’ fees for representation of the claimant.” *Flaherty v. Colvin*, No. CV-09-08106-PHX-JAT, 2013 WL 5447684, at *1 (D. Ariz. Sept. 30, 2013). Section 406(b) does not displace contingent-fee agreements as the primary means by

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1 which fees are set for successfully representing social security claimants in court, but it
2 does limit the reasonable fee to 25% of the past-due benefits. § 406(b)(1)(A); see 20
3 C.F.R. § 404.1730(b)(1)(i). Section 406(b) “calls for court review of such arrangements
4 as an independent check, to assure that they yield reasonable results in particular cases.”
5 *Gisbrecht v. Barnhart*, 535 U.S. 789, 807 (2002). In determining whether a fee is
6 reasonable, the Court should consider “the character of the representation and the results
7 the representative achieved.” *Id.* at 808.

8 Here, the results achieved by counsel were favorable and his representation was
9 more than adequate. Having considered the factors outlined in *Gisbrecht*, and the record
10 as a whole, the Court finds that \$11,688.50 is a fair and reasonable fee award. The
11 unopposed motion for award of attorney’s fees therefore is granted.

12 **IT IS ORDERED** that Plaintiff’s attorney’s motion for award of attorney’s fees
13 under 42 U.S.C. § 406(b) (Doc. 27) is **GRANTED**. Counsel’s fees are approved in the
14 amount of **\$11,688.50**.

15 Dated this 21st day of August, 2017.

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Douglas L. Rayes
United States District Judge