

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

TAMMY LODA HULL

PLAINTIFF

v.

No. 4:13-cv-16-DPM

SOCIAL SECURITY ADMINISTRATION,
Carolyn W. Colvin, Commissioner

DEFENDANT

ORDER

The motion for attorney's fees and costs, *No. 19*, is granted as modified.

The parties agree that Hull is entitled to a reasonable fee in the wake of this Court's remand, but they dispute the particulars.

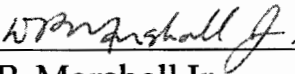
1. Hourly Rate. Taking into account the Consumer Price Index, as well as the Equal Access to Justice Act fee awards from past cases in Arkansas, and the parties' proposed rates, the Court believes that an hourly rate of \$186.00 will reasonably compensate Hull's lawyer for his work in this case. *Theis v. Astrue*, 828 F. Supp. 2d 1006, 1009 (E.D. Ark. 2011); *Stone v. Colvin*, 2013 WL 1811945 (E.D. Ark. 2013).

2. Hours. After a trim at the margin, the hours spent are approved. The Court deducts 1.5 hours for time spent performing activities that could have

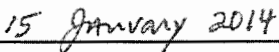
been done by support staff. *Granville House, Inc. v. Dep't of Health, Educ. & Welfare*, 813 F.2d 881, 884 (8th Cir. 1987). The Court makes no reduction for the number of hours spent preparing the complaint, brief, and reply brief. The total of 50.7 hours may seem like a bit too much time for an attorney experienced in social security cases; but the issues were well briefed and necessarily fact heavy. Outlining, writing, and revising take time. The time spent preparing the EAJA fee petition is reasonable and therefore allowed. *Vaughn v. Heckler*, 860 F.2d 295, 296 (8th Cir. 1988).

3. Assignment of Claim. Despite plaintiff's assignment, EAJA attorney's fees are directly payable to the plaintiff. *Astrue v. Ratliff*, 560 U.S. 586, 591 (2010). The Court awards a reasonable attorney's fee of \$12,220.20 (65.7 hours at \$186 an hour), payable to Hull, and costs of \$86.90, payable to Hull's lawyer. Both checks should be mailed to Hull's lawyer.

So Ordered.



D.P. Marshall Jr.
United States District Judge



15 January 2014