

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KEVIN P. KUNHEL,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:05 -cv-00905-AWI-SAB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND GRANTING
PETITIONER’S MOTION FOR ATTORNEY
FEES PURSUANT TO 42 U.S.C. § 406(b)

(ECF Nos. 26, 28, 29)

Petitioner Harvey P. Sackett (“Counsel”), attorney for Plaintiff Kevin P. Kunhel (“Plaintiff”), filed the instant motion for attorney fees on January 27, 2014. On February 20, 2014, the magistrate judge issued Findings and Recommendations recommending granting Counsel’s motion for attorney fees. The Findings and Recommendations were served on all parties and contained notice that any objections were to be filed within fourteen (14) days. No party has filed objections to the Findings and Recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of the case. Having carefully reviewed the entire file, the Court finds that the Findings and Recommendations are supported by the record and by proper analysis.

//
//
//

1 Accordingly, it is HEREBY ORDERED that:

- 2 1. Counsel's motion for an award of attorney fees pursuant to Section 406(b) in the
3 amount of \$25,563.50 is GRANTED; and
4 2. Counsel's award shall be offset by \$6,000.00 for the EAJA fees previously
5 awarded pursuant to 28 U.S.C. § 2412(d).

6
7 IT IS SO ORDERED.

8 Dated: March 17, 2014


9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
SENIOR DISTRICT JUDGE