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6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**
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10 JASON TRAVIS UHL,

11 Plaintiff,

12 v.

13 CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

14 Defendant.
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Case No. 1: 13-cv-01303-SMS

**ORDER REQUESTING
DOCUMENTATION SUBSTANTIATING
PLAINTIFF'S MOTION FOR
ATTORNEY'S FEES UNDER THE
EQUAL ACCESS TO JUSTICE ACT**

16 On March 2, 2016, Plaintiff filed a motion for attorney's fees, costs, and expenses under the
17 Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. Doc. 37. Therein, he seeks \$11,814.08
18 in attorney's fees for 65.95 hours expended on this case.¹ In support of the motion are: (1) the
19 declaration of Mr. Rohlring, (2) an itemized statement of the hours expended by the attorneys and
20 two paralegals, (3) an excerpt from the "United States Consumer Law Attorney Fee Survey Report
21 2013-2014" by Ronald L. Burdge, Esq., and (4) the contingency agreement between Plaintiff and
22 the Law Offices of Lawrence D. Rohlring. Included in the itemized statement are hours attorney
23 Lawrence D. Rohlring ("LDR") claimed he spent in 2015 preparing the appeal before the Ninth
24 Circuit. The Commissioner expressed opposition with the hours LDR spent preparing and drafting
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28 ¹ In his reply brief, Plaintiff requests additional fees for time expended reviewing the Commissioner's
opposition and preparing the reply brief, thereby bringing the total request to \$12,575.20. Doc. 42.

1 the opening brief. Doc. 41. To this, LDR asserts the hours claimed were reasonable because the
2 brief “required a greater exploration and explanation” of the relevant topic and that it spanned 33-
3 pages long. Doc. 42.

4 The Court cannot verify the validity of LDR’s assertions without the Ninth Circuit brief,
5 which Plaintiff did not provide. It is Plaintiff’s burden, as the moving party here to prove the
6 reasonableness of his request. *See Blum v. Stenson*, 465 U.S. 886, 897 (1984) (noting the burden
7 lies with the applicant to demonstrate the reasonableness of his request). Accordingly, Plaintiff is
8 directed to submit his Ninth Circuit opening brief to the Court within seven (7) days of this order.
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12 IT IS SO ORDERED.

13 Dated: June 9, 2016

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE