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7 **UNITED STATES DISTRICT COURT**  
8 **EASTERN DISTRICT OF CALIFORNIA**  
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10 LESLIE HERMAN,

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL  
14 SECURITY,

15 Defendant.

Case No. 1:15-cv-00456-AWI-SAB

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

(ECF No. 26, 27, 28)

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17 On January 5, 2016, this action challenging the denial of Social Security benefits was  
18 remanded for further proceedings. (ECF No. 22.) On October 25, 2018, Plaintiff's counsel  
19 ("Petitioner") filed a motion for attorney fees which was referred to a United States magistrate  
20 judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. (ECF No. 26.) On November  
21 19, 2018, the Commissioner of Social Security filed a statement of non-opposition to the motion  
22 for attorney fees. (ECF No. 27.)

23 On November 21, 2018, the assigned magistrate judge filed a findings and  
24 recommendations. (ECF No. 28.) The findings and recommendations recommended granting  
25 Petitioner's motion for attorney fees. (Id.) The findings and recommendations was served on  
26 the parties and contained notice that any objections to the findings and recommendations were to  
27 be filed within thirty days from the date of service. (Id., ECF No. 30.) The period for filing  
28 objections has passed and no objections have been filed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
2 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the  
3 findings and recommendations to be supported by the record and by proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations, filed November 21, 2018, is ADOPTED IN  
6 FULL;
- 7 2. Petitioner's motion for a net award of attorney fees pursuant to Section 406(b) in  
8 the amount of \$1,273.70 is GRANTED; and
- 9 3. Pursuant to counsel's request, this amount should be paid directly to Jacqueline A.  
10 Forslund. The Commissioner should remit to Plaintiff the remainder of her  
11 withheld benefits.

12 IT IS SO ORDERED.

13 Dated: January 11, 2019

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15 SENIOR DISTRICT JUDGE