

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF CALIFORNIA

3
4 NORMA JEAN ORNELLAS,

5 Plaintiff,

6 v.

7 NANCY A. BERRYHILL, Acting
8 Commissioner of Social Security,

9 Defendant.

Case No. 1:15-cv-00730-EPG

ORDER GRANTING PLAINTIFF'S
MOTION FOR ATTORNEY FEES

(ECF No. 24)

10 Plaintiff Norma Jean Ornellas filed a complaint challenging the denial of her application
11 for disability insurance benefits on August 10, 2015. (ECF No. 1.) On March 25, 2016, the
12 parties entered into stipulation remanding the case to the Social Security Administration for
13 further proceedings. (ECF No. 19.) The Court approved the stipulation on March 28, 2016, and
14 entered judgment in Plaintiff's favor. (ECF Nos. 20-21.)

15 On April 26, 2016, the Court approved a stipulation for the award of attorney fees and
16 expenses pursuant to the Equal Access to Justice Act (28 U.S.C. § 2412(d)) ("EAJA") in the
17 amount of \$4,300. (ECF No. 23.)

18 On December 1, 2017, Plaintiff's counsel filed a motion for the award of reasonable
19 attorney fees pursuant to 42 U.S.C. § 406(b) directing payment of \$9,350.00 in attorneys fees to
20 attorney Jacqueline A. Forslund. (ECF No. 24.) "Under 42 U.S.C. § 406(b), a court entering
21 judgment in favor of an SSDI claimant who was represented by an attorney 'may determine
22 and allow as part of its judgment a reasonable fee for such representation, not in excess of 25
23 percent of the total of the past-due benefits to which the claimant is entitled by reason of such
24 judgment.'" *Crawford v. Astrue*, 586 F.3d 1142, 1147 (9th Cir. 2009) (quoting 42 U.S.C. §
25 406(b)). Attorney Forslund expended 27.3 hours on this case, and has requested gross fee of
26 \$13,650.00. After deducting the \$4,300.00 in EAJA fees previously received by attorney
27 Forslund, the amount requested in the instant motion for attorney fees is \$9,350.00. Defendant
28 filed a response indicating that it had no objection to that amount. (ECF No. 26.)

