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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHERRELYN EMBERNATE,

Plaintiff,

v.

ANDREW SAUL, Commissioner of Social
Security¹,

Defendant.

No. 2:17-cv-0040 JAM DB

ORDER

This action was referred to a United States Magistrate Judge pursuant to 28 U.S.C. ' 636 and Local Rule 302(c)(15).

On June 19, 2020, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice that any objections to the findings and recommendations were to be filed within thirty days after service of the findings and recommendations. The thirty-day period has expired, and no party has filed objections to the findings and recommendations.

¹ Andrew Saul became the Commissioner of the Social Security Administration on June 17, 2019. See <https://www.ssa.gov/agency/commissioner.html> (last visited by the court on July 30, 2019). Accordingly, Andrew Saul is substituted in as the defendant in this action. See 42 U.S.C. § 405(g) (referring to the “Commissioner’s Answer”); 20 C.F.R. § 422.210(d) (“the person holding the Office of the Commissioner shall, in his official capacity, be the proper defendant”).

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The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The findings and recommendations filed June 19, 2020 (ECF No. 29) are adopted in full;
2. Plaintiff's March 26, 2020 motion for attorney fees under 42 U.S.C. § 406(b), (ECF No. 26), is granted; and
3. Counsel for plaintiff is awarded the \$9,064.50 in attorney fees under § 406(b).

DATED: October 6, 2020

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE