

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

SUZANNE SARAH ROSEN,
Plaintiff,

v.

2:16-cv-639-NPM

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

ORDER

Having obtained an award of benefits, Suzanne Sarah Rosen requests a fee award pursuant to 42 U.S.C. § 406(b). (Doc. 35). Section 406(b) allows an award of a reasonable fee—not to exceed twenty-five percent of the claimant’s past-due benefits—for work performed before the court. And for the reasons stated in Rosen’s motion, the requested fee award is reasonable.

Accordingly, the unopposed fee motion (Doc. 35) is **GRANTED**, and the clerk is directed to amend the judgment in favor of Rosen to include a fee award of \$20,554.75.¹

ORDERED on April 19, 2024.



NICHOLAS P. MIZELL

United States Magistrate Judge

¹ The motion for attorney’s fees states that Rosen’s counsel was awarded \$7,870.89 in fees under the Equal Access to Justice Act (“EAJA”), which will be refunded to Rosen. (Doc. 35 at 3). However, the court’s calculations reflect that the correct amount is \$7,863.48, which represents \$7,851.48 in attorney’s fees and \$12.00 in paralegal fees, exclusive of costs and expenses. Therefore, counsel must refund \$7,863.48 in EAJA fees to Rosen.