

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

BARBARA BOURSHESKI,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV 314-009
	)	
CAROLYN W. COLVIN, Acting	)	
Commissioner of Social Security	)	
Administration,	)	
	)	
Defendant.	)	

---

**ORDER**

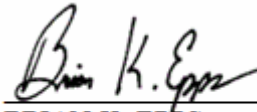
---

On October 6, 2014, the Court granted a reversal and remand pursuant to sentence four of 42 U.S.C. § 405(g) and subsequently awarded Plaintiff \$5255.52 in attorney’s fees under the Equal Access to Justice Act (“EAJA”). (Doc. nos. 15, 19.) Because the Administrative Law Judge awarded Plaintiff past due benefits on remand, Plaintiff now moves for attorney’s fees in the amount of \$20,778.70 pursuant to 42 U.S.C. § 406(b). (Doc. no. 25.) Because an attorney who receives fees under both the EAJA and 42 U.S.C. § 406(b) must refund the smaller fee to his client, counsel shall refund the amount of the previously awarded EAJA fees to Plaintiff, as he has represented in his motion he will do. See Jackson v. Comm’r of Soc. Sec., 601 F.3d 1268, 1274 (11th Cir. 2010); see also Paltan v. Comm’r of Soc. Sec., 518 F. App’x 673, 674 (11th Cir. 2013).

Accordingly, the Court **GRANTS** Plaintiff’s motion (doc. no. 20) and awards

attorney's fees in the amount of \$20,778.70.

SO ORDERED this 29th day of July, 2016, at Augusta, Georgia.

A handwritten signature in black ink, appearing to read "Brian K. Epps". The signature is written in a cursive style with a horizontal line underneath it.

BRIAN K. EPPS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA