

**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS  
SPRINGFIELD DIVISION**

<p><b>KATHLEEN SHUCK,</b></p> <p style="padding-left: 40px;"><b>Plaintiff,</b></p> <p><b>v.</b></p> <p><b>MARTIN O'MALLEY<sup>1</sup>,</b> <b>Acting Commissioner of Social Security,</b></p> <p style="padding-left: 40px;"><b>Defendant.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>Case No. 22-cv-03127</b></p>
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**OPINION**

**COLLEEN R. LAWLESS, United States District Judge:**

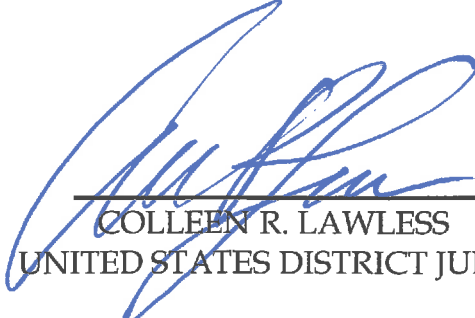
This matter comes before the Court on Petitioner Meredith E. Marcus’s Petition for Attorney Fee pursuant to 42 U.S.C. § 406(b). (Doc. 22). In light of the fact that there is no objection, Petitioner’s Motion (Doc. 22) is GRANTED. According to the Motion and supporting attachments, on remand Plaintiff was awarded \$113,785.00 in past-due benefits and counsel’s fee agreement calls for a fee of 25% for work in federal court. In accordance with counsel’s fee agreement signed by Plaintiff, fees are authorized pursuant to 42 U.S.C. § 406(b) in the gross amount of \$28,446.25, which represent 25% of the award of Plaintiff’s past due benefits. Counsel may retain the \$11,475.98 in fees previously awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412, in partial satisfaction of the § 406(b) award. Therefore, Plaintiff’s counsel, Meredith E. Marcus, is awarded fees pursuant to 42 U.S.C. § 406(b) in the net amount of \$16,970.27, which represents the

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<sup>1</sup> Martin O'Malley has been substituted for Kilolo Kijakazi. Fed. R. Civ. P. 25(d).

balance after the EAJA offset, payable by the Social Security Administration from  
Plaintiff's past-due benefits

ENTER: May 2, 2024



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COLLEEN R. LAWLESS  
UNITED STATES DISTRICT JUDGE