

040109/N

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
EASTERN DIVISION

AMY F. MCCROY,)	
)	
Plaintiff,)	No. 07-2052 EJM
)	
vs.)	ORDER
)	
MICHAEL J. ASTRUE,)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

This matter is before the court on plaintiff's unresisted motion for attorney's fees, filed March 18, 2009. Granted.

On September 12, 2008, the court reversed and remanded this Social Security case for payment of benefits. On December 8, 2008, the court awarded attorney's fees in the amount of \$6,472.83 pursuant to 28 U.S.C. §2412(d)(1)(A), as well as costs in the amount of \$350.00. Plaintiff now seeks fees pursuant to 42 U.S.C. §406(b)(1). Defendant responds with no resistance, apart from properly noting that under the applicable law, plaintiff's counsel is to receive the full \$15,171.00 fee pursuant to 42 U.S.C. §406(b), and to then refund to plaintiff the previously awarded fee of \$6,472.83 made pursuant to 28 U.S.C. §2412.

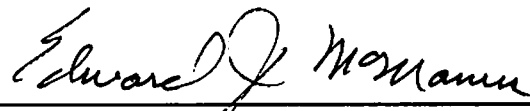
Upon application and for cause, the motion shall be granted in accordance herewith.

It is therefore

ORDERED

Granted. Plaintiff's counsel is awarded \$15,171.00 pursuant to 42 U.S.C. §406(b). Plaintiff's counsel shall refund to plaintiff \$6,472.83, previously awarded pursuant to 28 U.S.C. §2412.

April 1, 2009.



Edward J. McManus, Judge
UNITED STATES DISTRICT COURT