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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
EASTERN DIVISION

DANIEL E. HILL,	)	
	)	
Plaintiff,	)	No. 13 cv 2014 EJM
vs.	)	
	)	ORDER
CAROLYN W. COLVIN,	)	
ACTING COMMISSIONER OF	)	
SOCIAL SECURITY,	)	
	)	
Defendant.	)	

This matter is before the court on plaintiff's attorney's unresisted motion for attorney fees under the Social Security Act, 42 U.S.C. §406(b), filed February 6, 2015. Granted.

Plaintiff previously applied for and was awarded fees of \$3,150 under the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412. Receipt of attorney fees twice for the same services under the EAJA and the Social Security Act are generally prohibited, and plaintiff's counsel would normally be required to refund the EAJA fee to his client. Gisbrecht v. Barnhart, 535 U.S. 789, 807 (2002.) But here plaintiff's counsel represents and defendant's counsel does not contest that the previously awarded EAJA fee was subject to offset arising from plaintiff's pre-existing debt to the federal government, and that plaintiff's counsel has therefore not received any payment under the EAJA. Based on this fact, and that the amount requested here, \$5,872.25, appears reasonable and also is not contested by defendant, the award is in order.

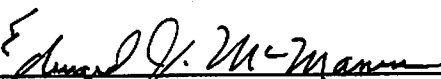
It is therefore

ORDERED

Plaintiff's attorney is awarded attorney fees of \$5,872.25 under 42 U.S.C.

§406(b).

March 23, 2015

  
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Edward J. McManus, Judge  
UNITED STATES DISTRICT COURT