

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MIRANDA T.,¹

Civil No. 22-708 (JRT/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATIONS**

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

Edward C. Olson, **Reitan Law Office**, 80 South 8th Street, Suite 900,
Minneapolis, Minnesota 55402 for Plaintiff.

David F. Chermol, **Chermol & Fishman LLC**, 11450 Bustleton Avenue,
Philadelphia, Pennsylvania 19116 for Plaintiff.

Ana H. Voss, **United States Attorney's Office**, 300 South 4th Street, Suite
600, Minneapolis, Minnesota 55415 for Defendant.

Emily Carroll, SSA-Ogc, Office of the General Counsel, Suite 350, **Social
Security Administration**, 1301 Young Street, Mailroom 104, Dallas, Texas,
75202 for Defendant.

Elvi Jenkins, **Social Security Administration**, 6401 Security Boulevard,
Baltimore Maryland 21235 for Defendant.

James D. Sides, **Social Security Administration, Office of the General
Counsel, Office of Program Litigation, Office 4**, 6401 Security Boulevard,
Baltimore Maryland 21235 for Defendant.

¹ This District has adopted the policy of using only the first name and last initial of any nongovernmental parties in Social Security opinions such as the present Report and Recommendation. Accordingly, where the Court refers to Plaintiff by her name only her first name and last initial are provided.

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Counsel's Motion for Attorney Fees Pursuant to 42 U.S.C. § 406(b), [Docket No. 29], is GRANTED in part and DENIED in part, as set forth herein;
2. Plaintiff's counsel is awarded attorney's fees in the amount of \$11,983.75; and
3. Upon receipt of the awarded attorney's fees pursuant to § 406(b), Plaintiff's counsel is required to refund to Plaintiff the previously awarded EAJA fees, in the amount of \$8,800.00.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 15, 2023
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge