

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI

AUDRA L. HOGAN, Plaintiff, v. NANCY A. BERRYHILL, Acting Commissioner of the Social Security Administration, Defendant. Case No. 4:16-CV-00863

ORDER

Before the Court is Plaintiff’s Attorney’s Motion for an Award of Attorney Fees under 42 U.S.C. § 406(b). (Doc. 14). Plaintiff’s Attorney seeks \$20,979.15. Section 206(b)(1)(A) of the Social Security Act, 42 U.S.C. § 406(b)(1)(A), provides that a court may award a “reasonable” attorney fee not in excess of 25% of past-due benefits under Title II of the Social Security Act for an attorney’s representation of a plaintiff for Title II benefits before that court. In Gisbrecht v. Barnhart, 535 U.S. 789, 122 S. Ct. 1817 (2002), the Supreme Court set forth the method for calculating a “reasonable” 42 U.S.C. § 406(b) fee. Plaintiff’s Attorney asserts and demonstrates that their request is consistent with Gisbrecht.

Plaintiff received an award of \$62,937.45, which represents her share of the past due benefits after withholding \$20,979.15 for attorney fees. Plaintiff’s Attorney’s request is thus consistent with Gisbrecht. The Government does not oppose this request. Therefore, Plaintiff’s Attorney’s Motion is GRANTED, and it is ORDERED that Plaintiff’s Attorney is awarded \$20,979.15.

IT IS SO ORDERED.

Dated: March 22, 2021

/s/ Douglas Harpool
DOUGLAS HARPOOL
United States District Judge