

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ROSA A. GUZMAN,

Plaintiff,

MEMORANDUM & ORDER

13-CV-02243 (FB)

-against-

CAROLYN W. COLVIN,
ACTING COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Appearances:

For the Plaintiff:

CHARLES E. BINDER

Law Offices of Harry J. Binder
& Charles E. Binder, P.C.
60 East 42nd Street, Suite 520
New York, New York 10165

For the Defendant:

ROBERT L. CAPERS

United States Attorney

Eastern District of New York

271 Cadman Plaza East

Brooklyn, New York 11201

By: KAREN T. CALLAHAN

Special Assistant United States Attorney

BLOCK, Senior District Judge:

Having independently determined the following—that the plaintiff's contingent-
arrangement has yielded a reasonable result in this particular case, as required by
S.C. § 406(b)(1), and that it is not tainted by fraud or overreaching or awards an
unreasonable windfall to plaintiff's counsel, *see Wells v. Sullivan*, 907 F.2d 367, 372 (2d

1 Cir. 1990) (requiring courts to consider these factors when weighing the validity of
2 such arrangements)—and with the Commissioner’s recommendation, plaintiff’s petition
3 for attorney fees in the amount of \$17,852 is GRANTED. Upon receipt of this sum, in
4 accordance with his representations to the Court, plaintiff’s counsel is to remit
5 \$6,164.05 that he received under the Equal Access to Justice Act to plaintiff.

6

7 **SO ORDERED**

8 /S/ Frederic Block
9 FREDERIC BLOCK
10 Senior United States District Judge

11 Brooklyn, New York

12 February 7, 2017

13