

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ANGELO BALSANO,

09-CV-490
(DNH/VEB)

Plaintiff,

-v-

MICHAEL J. ASTRUE, Commissioner of Social
Security,

Defendant.

APPEARANCES:

Irwin M. Portnoy & Associates, PC
Attorneys for Plaintiff
542 Union Avenue
New Windsor, NY 12550

OF COUNSEL:

IRWIN M. PORTNOY, ESQ.

OFFICE OF GENERAL COUNSEL
Social Security Administration
Region II
Attorneys for Defendant
26 Federal Plaza, Room 3904
New York, NY 10278

SIXTINA FERNANDEZ, ESQ.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff's counsel, Irwin M. Portnoy, Esq., has filed a motion for attorneys' fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Dkt. No. 26. On February 13, 2013, the Honorable Victor E. Bianchini, United States Magistrate Judge,

advised by Report-Recommendation that the motion be granted in part and that plaintiff be awarded \$11,774.63 in fees, plus costs in the amount of \$362.82, and that the payment be mailed to the office of plaintiff's counsel. No objections to the Report-Recommendation were filed.

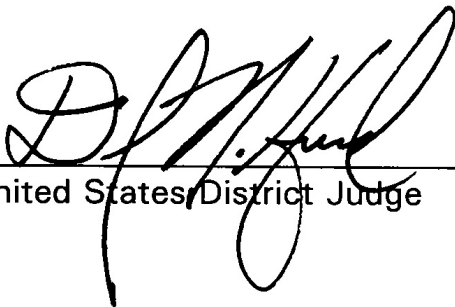
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Plaintiff's motion for attorneys' fees and costs is GRANTED in part;
2. Plaintiff is awarded \$11,774.63 in attorneys' fees;
3. Plaintiff is awarded \$362.82 in costs; and
4. Payment shall be mailed to the office of plaintiff's counsel.

IT IS SO ORDERED.



United States District Judge

Dated: March 11, 2013
Utica, New York.