

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

STEPHANIE GEHM,

Plaintiff,

-v-

3:10-CV-1170

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

APPEARANCES:

LACHMAN, GORTON LAW FIRM
Attorneys for Plaintiff
1500 East Main Street, P.O. Box 89
Endicott, NY 13761

SOCIAL SECURITY ADMINISTRATION
OFFICE OF REGIONAL GENERAL
COUNSEL, Region II
Attorneys for Defendant
26 Federal Plaza, Room 3904
New York, NY 10278

DAVID N. HURD
United States District Judge

OF COUNSEL:

PETER A. GORTON, ESQ.

KRISTINA D. COHN, ESQ.

ORDER

On September 16, 2013, following an award of disability benefits to plaintiff Stephanie Gehm ("Gehm" or "plaintiff"), her counsel was awarded \$6,000.00 in attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"). See ECF No. 28.

On March 1, 2017, Gehm's counsel moved for an additional award of attorney's fees. ECF No. 29. According to plaintiff's counsel's submission, he is entitled to a total fee

award in the amount of \$8,814.00. Plaintiff's counsel indicates that, if his current fee request is granted, he will refund his client the \$6,000 previously awarded under the EAJA.

After reviewing Gehm's fee request and supporting documentation, the Court directed defendant Nancy A. Berryhill, the Acting Commissioner of Social Security (the "Commissioner") to submit a response to plaintiff's counsel's submission. ECF No. 30. The Commissioner timely filed a thorough response. ECF No. 32.

Upon review of Gehm's counsel's motion and the Commissioner's responsive submission, it is

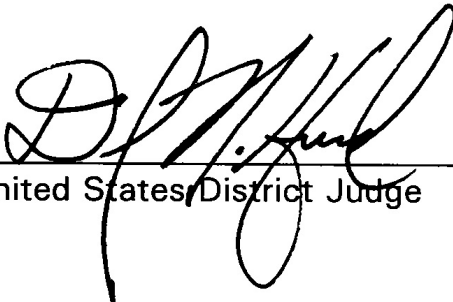
ORDERED that

1. Plaintiff's motion for attorney's fees is GRANTED;
2. Plaintiff's counsel is AWARDED fees in the sum of \$8,814; and
3. Plaintiff's counsel shall REFUND to plaintiff the sum of \$6,000.00 that was

previously awarded under the EAJA.

The Clerk of the Court is directed to close the file.

IT IS SO ORDERED.


United States District Judge

Dated: July 25, 2017
Utica, New York.