

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK****SALAZAR,***Plaintiff,***-against-****COMMISSIONER OF SOCIAL SECURITY,***Defendant.***20-cv-09613 (ALC)****OPINION & ORDER****ANDREW L. CARTER, JR., District Judge:**


Pending before the Court is Plaintiff's motion for attorney's fees pursuant to 42 U.S.C. § 406(b). ECF Nos. 34, 35 ("Mot."), 36 ("Binder Decl."). Plaintiff's counsel requests the statutory maximum 25% of the retroactive benefits awarded to Plaintiff which amounts to \$12,520.00. Mot. at 2. The government neither supports nor opposes counsel's based upon its own analysis of the reasonableness of the fee pursuant to the factors laid out in *Fields v. Kijakazi*, 24 F. 4th 845 (2d Cir. 2022). Those factors include: (1) the ability and expertise of the attorney(s); (2) the nature and length of the relationship counsel had with the claimant; (3) the claimant's satisfaction with the services provided by counsel; and (4) the uncertainty of an award of benefits. *Id.* at 854-856.

Counsel are experts in the area of social security law and represented Plaintiff across an extended period of time throughout several administrative hearings and appeals. Neither Plaintiff nor counsel for the Government have expressed dissatisfaction with counsel's representation or objection to the requested fees. Therefore, the Court hereby authorizes counsel's requested fees and directs counsel to refund Plaintiff any fees he previously received under the Equal Access to Justice Act if such fees were less than those awarded in the instant

order pursuant to *Gibrecht v. Barnhart*, 535 U.S. 789, 796 (2002). The Clerk is respectfully directed to terminate Plaintiff's Motion for Attorney's Fees at ECF No. 34..

SO ORDERED.

Dated: August 30, 2024
New York, New York

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written in a cursive style. The signature is positioned above a horizontal line.

ANDREW L. CARTER, JR.
United States District Judge