

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO.: 1:15-cv-158

RONNIE D. JONES,)
)
PLAINTIFF,)
)
VS.)
)
NANCY A. BERRYHILL,)
COMMISSIONER)
OF SOCIAL SECURITY,)
)
DEFENDANT.)

ORDER

THIS MATTER is before the Court on the motion for attorneys' fees filed by plaintiff's counsel, George C Piemonte, on March 9, 2018 (Doc. No. 24). Pursuant to 42 U.S.C. §406(b), whenever the court renders a judgment favorable to a claimant, it may award attorney fees not to exceed 25% of past-due benefits.

In the instant case, the fee agreement between the plaintiff and counsel provides for a contingency fee of 25% of past-due benefits. In these circumstances, the reviewing court does not calculate a lodestar amount; it simply reviews the fee claimed for reasonableness. See Mudd v. Barnhardt, 418 F.3d 424, 427-28 (4th Cir. 2005) (citation omitted).

The Court has reviewed the amount requested by counsel and finds it to be reasonable. In addition, Plaintiff's motion indicates that Defendant consents to the instant motion for attorney's fees.

IT IS THEREFORE ORDERED that Plaintiff's motion (Doc. No. 24) is GRANTED. Plaintiff was awarded \$71,250.00 in past-due benefits at the administrative level after this court entered judgment. The Social Security Administration shall release the sum of \$11,812.50 to plaintiff's counsel George C. Piemonte as attorney's fees for services rendered before this Court.

SO ORDERED.

Signed: March 13, 2018



Frank D. Whitney
Chief United States District Judge

