

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Kiena Clark,

Plaintiff(s),

vs.

Commissioner of Social Security,

Defendant(s).

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Case Number: 1:14cv330

Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Stephanie K. Bowman filed on May 1, 2017 (Doc. 23), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired May 15, 2017, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's motion for an award of attorney fees under 42 U.S.C. §406(b) (Doc. 22) is GRANTED only in part.

Plaintiff's counsel is awarded a fee in the amount of \$4,500.00, which is equivalent to a reasonable hypothetical hourly rate of \$360.00 per hour for the 12.5 hours expended in this Court.

Plaintiff's counsel is forewarned that any future untimely filing of a §406(b) motion, in violation of LR 54.2(b) will result in the denial of any statutory fee.

Counsel is required to explicitly address the issue of timeliness in any currently pending

or future §406(b) motions filed in this Court.

IT IS SO ORDERED.

s/Susan J. Dlott
Judge Susan J. Dlott
United States District Court