

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

Kathy Higdon,

Plaintiff(s),

vs.

Commissioner of Social Security,

Defendant(s).

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Case Number: 1:15cv458

Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on April 25, 2017(Doc. 24), 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 9, 2017, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's counsel's motion for attorney fees (Doc. 20) is GRANTED IN PART and that counsel is AWARDED \$4,807.50 in attorney's fees under §406(b). Since counsel has already received an EAJA award of \$2,300.00 which otherwise would be remitted by counsel to plaintiff since a greater fee under §406(b) is awarded for duplicate work in this Court, counsel is AWARDED a total of \$2,507.50 (\$4,807.50 - \$2,300.00) out of plaintiff's award of past-due benefits. Such an award will expedite the time in which plaintiff and her counsel will both receive the full awards due them, by avoiding the need for counsel to remit the EAJA fee to her client.

IT IS SO ORDERED.

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