

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

MICHAEL JAMES MARTIN,	:	Case No. 3:15-cv-131
	:	
Plaintiff,	:	Judge Thomas M. Rose
	:	
v.	:	
	:	
NANCY A. BERRYHILL,	:	
Acting Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

**ENTRY AND ORDER GRANTING UNOPPOSED PETITION FOR
ATTORNEY FEES PURSUANT TO 42 U.S.C. § 406(b)(1) (DOC. 18)**

The Court, having read Plaintiff Michael James Martin's Petition for Attorney Fees Pursuant to 42 U.S.C. § 406(b)(1) (Doc. 18) and all the supporting documents thereto, and noting that the Commissioner of Social Security filed a Notice of No Objection (Doc. 20) to the Petition:

IT IS ORDERED that attorney fees be granted in the amount of \$10,559.00, which represents less than 25% (\$17,672.25) of the past due benefits awarded to the Plaintiff, be remitted to the LAW OFFICES OF HARRY J. BINDER AND CHARLES E. BINDER, P.C. Upon receipt of this sum and the previously awarded Equal Access to Justice Act fees of \$5,200.00, counsel for Plaintiff is directed to remit the lesser of the two fees directly to the Plaintiff. Nothing in this order will preclude Plaintiff's duly appointed representative(s) from requesting fees under 406(a) for time spent handling Plaintiff's case before the Social Security Administration providing that the combined fees approved

under 406(a) and 406(b) does not exceed \$17,672.25, which represents 25% of the retroactive benefits awarded to the Plaintiff.

DONE and **ORDERED** in Dayton, Ohio, this Tuesday, March 28, 2017.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE