

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MICHAEL D. ANDERSON, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 COMMISSIONER, )  
 Social Security Administration, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

Case No. 2:15-cv-01305-KI

ORDER GRANTING PLAINTIFF’S  
MOTION FOR ATTORNEY FEES  
PURSUANT TO 42 U.S.C. § 406(b)

KING, District Judge:

Plaintiff Michael D. Anderson brought this action seeking review of the Commissioner’s final decision denying his application for Disability Insurance Benefits under the Social Security Act. The Court reversed the Commissioner’s decision, remanded the case for a determination of benefits, and entered judgment on July 6, 2016.

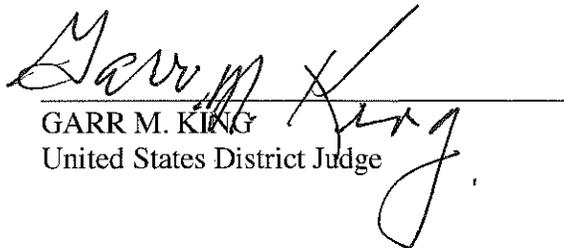
Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Defendant has not objected to the request. I have reviewed the record in this case, the motion, and the supporting materials, including the award of benefits, the fee agreement with counsel, and the recitation of counsel’s hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds the requested fees are reasonable.

ORDER GRANTING PLAINTIFF’S MOTION FOR ATTORNEY FEES PURSUANT TO 42 U.S.C. § 406(b) - 1

Plaintiff's Motion for Attorney Fees Pursuant to 42 U.S.C. 406(b) [24] is granted, and Plaintiff's counsel is awarded \$24,995.45 in attorney's fees under 42 U.S.C. § 406(b). Previously, the Court awarded Plaintiff attorney's fees in the amount of \$6,666.55 under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. When issuing the § 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the amount previously awarded under EAJA and send Plaintiff's attorney the balance of \$18,328.90, less any applicable processing or user fees prescribed by statute. Any amount withheld after all administrative and court attorney's fees are paid and should be released to the claimant.

IT IS SO ORDERED.

DATED this 13 of October 2016.

  
GARR M. KING  
United States District Judge