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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

DUANE GIANCONE,

Case No. 3:12-cv-00495-JE

Plaintiff,

vs.

ORDER

COMMISSIONER of Social Security,

Defendant.

It is hereby ORDERED that attorney fees in the amount of \$17,751.23 are awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). The Court finds this is a reasonable fee. If this Court awards an attorney fee pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, when issuing the § 406(b) check, the agency is directed to subtract the amount awarded, if any, under the EAJA (28 U.S.C. § 2412) and to send to Plaintiff's attorney at his current address shown above the balance, minus any user fee. Any amount withheld (including the EAJA fee offset) after all administrative and court attorneys fees are paid should be released to the claimant.

DATED this 2nd day of December, 2013.

/s/ John Jelderks

United States Magistrate Judge

Presented by:
Bruce W. Brewer
Attorney for Plaintiff