

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

KATHARINE J.,

Plaintiff,

No. 6:18:cv-00662-HZ

v.

ORDER

COMMISSIONER, SOCIAL  
SECURITY ADMINISTRATION,

Defendant.

Plaintiff Katharine J. brought this action seeking review of the Commissioner's final decision to deny Disability Insurance Benefits (DIB). On August 27, 2019, the Court ordered that the case be reversed and remanded for the immediate payment of benefits. Judgment was also entered on August 27, 2019. On November 19, 2019, Plaintiff's counsel received notice of Plaintiff's award for benefits. Pl. Mot. Ex. 1, ECF 24-1.

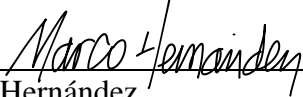
Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Pl. Mot., ECF 24. Defendant has no objection to the request. The Court has reviewed the record in the case, the motion, and the supporting materials including the award of benefits, the fee agreement with

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 reasonable.

The Court grants the motion [24] and awards Plaintiff's counsel \$19,775.75 in attorney's fees under 42 U.S.C. § 406(b). Previously, the Court awarded Plaintiff attorney's fees in the amount of \$8,101.31 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. When issuing the section 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 \$11,674.44, less any applicable processing fees as allowed by statute. Any amount withheld after all administrative and court attorney's fees are paid should be released to the claimant.

IT IS SO ORDERED.

Dated January 9, 2020

  
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Marco A. Hernández  
United States District Judge