

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMOR J. BLACKTONGUE,)	
)	
Plaintiff,)	Case No. C16-0806RSM
vs.)	
)	
NANCY A. BERRYHILL, ACTING)	ORDER FOR AWARD OF ATTORNEY'S
COMMISSIONER of Social Security,)	FEES PURSUANT TO 42 USC § 406(b).
)	
Defendant.)	
)	
)	

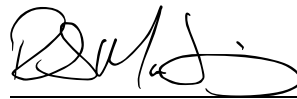
THIS MATTER comes before the Court on Plaintiff's Motion for Attorney's Fees pursuant to 42 U.S.C. § 406(b). Dkt. #28. Defendant has failed to respond to the motion. Under Local Civil Rule 7(b)(2), "[e]xcept for motions for summary judgment, if a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the motion has merit." The Court deems Defendant's failure to respond to be such an admission in this case.

Accordingly, having considered Plaintiff's motion and the supporting documents, as well as the remainder of the record, the Court hereby ORDERS:

- 1) Plaintiff's Motion for Attorney's Fees Pursuant to 42 U.S.C. § 406(b) (Dkt. #28) is GRANTED. The Court finds the requested fees to be reasonable for the reasons stated in Plaintiff's motion. Plaintiff is therefore awarded \$30,247.50 in fees less a previously awarded and received EAJA fee of \$6,534.40, for a fee award of **\$23,713.10**.

1 2) Defendant shall release the fees of **\$23,713.10 less** any applicable processing fee to Plaintiff's
2 attorney, Rosemary B. Schurman, at 8123 NE 115 Way, Kirkland, WA 98034, via check or
3 via automatic deposit.

4 Dated this 13 day of June, 2017

5 

6 RICARDO S. MARTINEZ
7 CHIEF UNITED STATES DISTRICT JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25