

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 WILLIAM KALLINEN,

CASE NO. C17-5972-JCC

10 Plaintiff,

ORDER

11 v.

12 NANCY BERRYHILL, Commissioner of
13 Social Security,

14 Defendant.

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16 This matter comes before the Court on Plaintiff's unopposed motion for attorney fees
17 (Dkt. No. 21) pursuant to 42 U.S.C. § 406(b)(1):

18 Whenever a court renders a judgment favorable to a claimant under this subchapter
19 who was represented before the court by an attorney, the court may determine and
20 allow as part of its judgment a reasonable fee for such representation, not in excess
of 25 percent of the total past-due benefits.

21 42 U.S.C. § 406(b)(1). Plaintiff agreed to pay his attorney 25 percent of the total back-

22 pay benefits if he prevailed on appeal. (Dkt. No. 21-1 at 1.) Plaintiff's appeal was

23 successful and Plaintiff received \$86,192 in back-pay benefits. (Dkt. No. 21-2 at 1.)

24 Plaintiff now moves the Court to approve attorney fees in the amount of \$17,028. (Dkt.

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ORDER
C17-5972-JCC
PAGE - 1

1 No. 21.) This amount is consistent with the statutory maximum and fee agreement. (Dkt.
2 Nos. 21 at 4, 21-1.)

3 The Court finds that the total fee request is reasonable given the amount of time
4 counsel expended on this case. Therefore, Plaintiff's motion for attorney fees (Dkt. No.
5 21) is GRANTED. The Court authorizes counsel to charge attorney fees in the amount of
6 \$17,028 in accordance with 42 U.S.C. § 406(b)(1). Counsel is DIRECTED to refund
7 Plaintiff \$2,685.27, the amount previously paid to counsel under the Equal Access to
8 Justice Act, 28 U.S.C. § 2412. (See Dkt. No. 21 at 2.)
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10 DATED this 22nd day of January 2019.

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14 John C. Coughenour
15 UNITED STATES DISTRICT JUDGE
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