

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

DONNA QUIMBY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Docket no. 1:11-cv-215-GZS
	)	
COMMISSIONER OF SOCIAL	)	
SECURITY,	)	
	)	
Defendant.	)	

**ORDER ON MOTION FOR AWARD OF § 406(B) FEES**

Before the Court is Plaintiff’s Motion for Award of § 406(b) Fees (ECF No. 20). As briefly explained herein, the Motion is GRANTED WITHOUT OBJECTION.

On November 2, 2011, Plaintiff received a favorable judgment in this matter (ECF No. 15), which reversed and remanded for further administrative proceedings. As Plaintiff acknowledges in the pending Motion, in connection with that remand, the Court awarded fees totaling \$3,200.00 under the Equal Access to Justice Act, 28 U.S.C. § 2412(d). (December 2, 2011 Order (ECF No.18).) Based on the January 20, 2016 Notice of Award (ECF No. 20-1), Plaintiff has now been awarded a total of \$103,635.60 in past due benefits following the Court’s remand. The Notice of Award also indicates that counsel is approved to receive \$6,000 in fees under 42 U.S.C. § 406(a). As a result of this award of past due benefits, pursuant to 42 U.S.C. § 406(b), this Court may allow a total fee of not more than \$25,908.90; however, the Court must deduct from that maximum amount the \$6,000 already approved under § 406(a). Therefore, the Court hereby approves the requested contingency fee of \$19,908.90 and also ORDERS that Plaintiff’s counsel, in accordance with the Contingency Fee Agreement (ECF No. 20-3), refund to Plaintiff the \$3,200, which represents the smaller fee award previously provided under 28 U.S.C. § 2412(d).

SO ORDERED.

/s/ George Z. Singal  
United States District Judge

Dated this 18th day of February, 2016.