

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JOYCE BECK

v.

MICHAEL ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION

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: CIV. NO. 3:11CV01185 (JCH)
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RULING ON SECOND MOTION FOR ATTORNEY'S FEES UNDER THE EQUAL
ACCESS TO JUSTICE ACT [Doc. #43]

On January 17, 2013, counsel for Joyce Beck moved this Court under the Equal Access to Justice Act ("EAJA"), 24 U.S.C. § 2412(d), to award attorney's fees in the amount of \$9,054.51. On March 26, 2013, the Court granted in part plaintiff's motion for attorney's fees, awarding plaintiff \$6,135.86 for work performed in 2011, 2012 and 2013 [doc. #45].

During the time between filing the first motion for attorney's fees and the time that the Court ruled on that motion, plaintiff filed a second motion for attorney's fees, seeking supplemental fees for additional work done in this case in 2013. Plaintiff's second motion [doc. #43] requests fees for an additional 7.7 hours worked in 2013 in connection with the original motion for attorney's fees that was opposed by the

defendant.¹ The defendant does not oppose the second motion for attorney's fees.

Absent objection, the Court grants plaintiff's second motion for attorney's fees, as to the supplement [doc. #43]. Previously, the Court set the hourly rate for work performed in 2013 at \$189.23 [see doc. #45]. The Court awards plaintiff fees for 7.7 hours of work, which totals \$1,457.07.²

This is not a recommended ruling. This is a ruling on attorney's fees and costs which is reviewable pursuant to the "clearly erroneous" statutory standard of review. 28 U.S.C. §636 (b) (1) (A); Fed. R. Civ. P. 6(a), 6(e) and 72(a); and Rule 2 of the Local Rules for United States Magistrate Judges. As such, it is an order of the Court unless reversed or modified by the district judge upon motion timely made.

SO ORDERED at Bridgeport this 29th day of July 2013.

/s/

HOLLY B. FITZSIMMONS
UNITED STATES MAGISTRATE JUDGE

¹ The Court notes that when it issued the ruling on the first motion for attorney's fees, it mistakenly terminated the second motion for attorney's fees. This caused the plaintiff to object. The second motion for attorney's fees has been reopened to allow the Court to issue this ruling.

² Itemization of fees awarded:

YEAR	RATE AWARDED	HOURS AWARDED	TOTAL
2013	\$189.23	7.7	\$1,457.07