

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

BENARDINO ROMANO,

Plaintiff,

v.

2:20-cv-573-NPM

COMMISSIONER OF SOCIAL SECURITY,


Defendant.

ORDER

Having obtained an award of benefits, Benardino Romano requests a fee award pursuant to 42 U.S.C. § 406(b). (Doc. 33). Section 406(b) allows an award of a reasonable fee—not to exceed twenty-five percent of the claimant’s past-due benefits—for work performed before the court. And for the reasons stated in Romano’s motion, the requested fee award is reasonable.

Accordingly, the unopposed fee motion (Doc. 33) is **GRANTED**, and the clerk is directed to amend the judgment in favor of Romano to include a fee award of \$44,041.25.¹

ORDERED on January 26, 2024.



NICHOLAS P. MIZELL
United States Magistrate Judge

¹ Because Romano’s counsel previously retained the \$7,973.50 in fees awarded to Romano under the Equal Access to Justice Act (“EAJA”), they must refund the EAJA fees to Romano.