

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

**ROBERT E. HAYER,**

Plaintiff,

v.

2:21-cv-436-NPM

**COMMISSIONER OF SOCIAL SECURITY,**

Defendant.


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**ORDER**

Having obtained an award of benefits, Robert E. Hayer requests a fee award pursuant to 42 U.S.C. § 406(b). (Doc. 37). 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 Hayer’s motion, the requested fee award is reasonable.

Accordingly, the unopposed fee motion (Doc. 37) is **GRANTED**, and the clerk is directed to amend the judgment in favor of Hayer to include a fee award of \$17,504.<sup>1</sup>

**ORDERED** on March 12, 2024.

  
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NICHOLAS P. MIZELL  
United States Magistrate Judge

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<sup>1</sup> Because Hayer’s counsel previously retained the \$7,879.32 in fees awarded to Hayer under the Equal Access to Justice Act (“EAJA”), they must refund the EAJA fees to Hayer.