

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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NICHOLAS TOMASINI,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Acting Commissioner, Social  
Security Administration,

Defendant.  
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ORDER

12-cv-294-bbc

David Traver has moved for an award of additional attorney fees under 42 U.S.C. § 406(b) for his work in representing plaintiff Nicholas Tomasini in this action. Plaintiff's counsel has already received \$6,314.50 in fees and \$367.85 in costs under the EAJA. He is now seeking \$1,098.75, which represents the remaining amount due under 42 U.S.C. § 406(b). Defendant Commissioner has not opposed the motion, although she was given until May 3, 2013 in which to do so. In the absence of any objection and because the fee request is well justified, I will grant the motion.

Plaintiff Nicolas Tomasini has assigned the payment of the fees and costs to Traver. They are to be paid to Traver if defendant determines that there are no prior debts owed to the government by plaintiff.

ORDER

IT IS ORDERED that David Traver is awarded additional attorney fees in the amount of \$1,098.75 for his work in representing plaintiff Nicolas Tomasini in this proceeding. The award of fees and costs is to be made to Traver if defendant determines that plaintiff owes no prior debts to the United States government.

Entered this 15th day of May, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge