

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STEPHANIE LYNN STEIGERWALD)	
on behalf of herself and the class,)	
)	
Plaintiffs,)	CASE NO.: 1:17-CV-1516
)	
v.)	JUDGE JAMES S. GWIN
)	
NANCY A. BERRYHILL, ACTING)	NOTICE OF CORRECTION
COMMISSIONER OF SOCIAL)	
SECURITY, ET AL.)	
)	
Defendants.)	

At page 14 of Class Counsel’s Supplemental Memorandum in Support of Attorneys’ Fees Pursuant to 42 U.S.C. § 406(b), Class Counsel inadvertently inflated the average 20% attorney’s fee being withheld by the Agency based on the 372 letter notices Class Counsel had received as of May 8th. In the Supplemental Memorandum, Class Counsel stated that the attorney’s fee per Class Member averaged \$155.85. Doc. 115 at 19. This number is not right. In fact, the average attorney’s fee based on the 372 letter notices is \$123.33.¹ Assuming this number is accurate, and assuming all 129,695 Class Members have the possibility of getting paid – including Category 2 Class Members – a 20% fee award would equate to approximately \$16,000,000.

¹ The reason for the correction is that Exhibit D, which listed the amounts paid and the 20% withheld for potential attorneys’ fees, contained a typographical error. On page 9 of Exhibit D, Class Counsel inadvertently inputted that \$13,448 was withheld from a single \$6,740 payment to a Class Member. Doc. 115-4 at 9. In fact, \$1,348 (*i.e.*, 20%) was withheld. *See* Ex. 1 hereto at 9. This artificially inflated the total average withholding by over \$12,000.

Respectfully submitted,

s/Jon H. Ressler, Ohio Bar No. 0068139
ROOSE & RESSLER
A Legal Professional Association
6150 Park Square Drive, Suite A
Lorain, Ohio 44053
Telephone: (440) 985-1085
Facsimile: (440) 985-1026
jressler@rooselaw.com

Dated: May 13, 2019

s/ Ira T. Kasdan, admitted *pro hac vice*
s/ Joseph D. Wilson, admitted *pro hac vice*
s/ Bezalel Stern, admitted *pro hac vice*
KELLEY DRYE & WARREN LLP
3050 K Street, N.W., Suite 400
Washington, DC 20007
Telephone: (202) 342-8400
Facsimile: (202) 342-8451
ikasdan@kelleydrye.com
jwilson@kelleydrye.com
bstern@kelleydrye.com
Attorneys for Plaintiff and the Class

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of May, 2019, a copy of the foregoing Notice and attachment was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Ira T. Kasdan

Ira T. Kasdan
Attorney for Plaintiff and the class

EXHIBIT D

Amount Paid to Class Member	20% of Attorney Fees Withheld
\$4,725.40	\$945.08
\$721.00	\$144.20
\$359.50	\$71.90
\$830.68	\$119.85
\$538.00	\$107.60
\$2,640.62	\$528.12
\$1,331.00	\$266.20
\$1,208.88	\$241.78
\$951.00	\$190.20
\$961.34	\$192.27
\$733.00	\$146.60
\$721.00	\$144.20
\$311.50	\$62.30
\$473.34	\$94.67
\$2,219.00	\$443.80
\$721.00	\$144.20
\$2,608.26	\$521.65
\$757.80	\$151.56
\$2,500.68	\$500.14
\$1,311.00	\$262.20
\$1,861.36	\$372.27
\$930.68	\$186.14
\$95.00	\$19.00
\$710.00	\$142.00
\$1,137.50	\$227.50
\$5,182.74	\$1,036.55
\$1,846.50	\$369.30
\$977.34	\$195.47
\$710.00	\$142.00
\$117.00	\$23.40
\$0.00	\$390.94
\$3,328.04	\$665.61
\$2,884.02	\$576.80
\$157.00	\$31.40
\$1,797.36	\$359.47
\$1,954.68	\$390.94
\$710.00	\$142.00
\$3,448.58	\$961.93
\$698.00	\$139.60
\$2,163.00	\$432.60
\$5,937.41	\$1,187.48
\$0.00	\$488.67

Amount Paid to Class	20% of Attorney Fees
Member	Withheld
\$566.00	\$113.20
\$577.00	\$115.40
\$133.00	\$26.60
\$2,920.00	\$584.00
\$710.00	\$142.00
\$1,466.01	\$293.20
\$721.00	\$144.20
\$0.00	\$0.00
\$390.94	\$97.73
\$0.00	\$0.00
\$1,563.74	\$390.94
\$0.00	\$0.00
\$18.68	\$3.74
\$512.50	\$102.50
\$300.00	\$60.00
\$733.00	\$146.60
\$335.82	\$67.16
\$733.00	\$146.60
\$1,423.68	\$284.74
\$473.34	\$94.67
\$559.75	\$111.95
\$2,876.69	\$575.34
\$3,281.38	\$656.28
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$246.25	\$49.25

Amount Paid to Class Member	20% of Attorney Fees Withheld
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$977.34	\$195.47
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$473.34	\$94.67
\$0.00	\$0.00
\$0.00	\$0.00
\$1,442.01	\$288.40
\$0.00	\$0.00
\$1,721.86	\$344.37
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$454.00	\$90.80
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$239.67	\$47.93
\$0.00	\$0.00
\$0.00	\$0.00
\$811.00	\$162.20
\$1,348.00	\$269.60
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00

Amount Paid to Class Member	20% of Attorney Fees Withheld
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$1,298.02	\$259.60
\$1,158.68	\$231.74
\$1,466.00	\$293.20
\$2,118.48	\$423.70
\$2,292.70	\$458.54
\$2,427.35	\$485.47
\$1,427.35	\$285.47
\$1,402.02	\$280.40
\$4,092.00	\$818.40
\$1,893.36	\$378.67
\$4,366.97	\$1,091.74
\$480.00	\$96.00
\$405.00	\$81.00
\$1,450.01	\$290.00
\$733.00	\$146.60
\$141.33	\$28.27
\$614.52	\$122.90
\$473.34	\$94.67
\$701.34	\$140.27
\$721.00	\$144.20
\$423.61	\$84.72
\$34.00	\$6.80
\$698.00	\$139.60
\$465.34	\$93.07
\$267.67	\$53.53
\$518.00	\$103.60
\$473.34	\$94.67
\$287.34	\$57.47
\$473.34	\$94.67
\$0.00	\$0.00
\$0.00	\$0.00
\$1,797.36	\$359.47
\$473.34	\$94.67
\$0.00	\$0.00
\$721.00	\$144.20
\$465.34	\$93.07

Amount Paid to Class Member 20% of Attorney Fees Withheld

\$480.67	\$96.13
\$0.00	\$0.00
\$1,922.68	\$384.54
\$6,740.00	\$1,348.00
\$3,145.59	\$629.12
\$1,441.27	\$288.35
\$1,234.50	\$246.90
\$946.68	\$189.34
\$3,417.60	\$683.52
\$721.00	\$144.20
\$223.59	\$44.72
\$1,442.00	\$288.40
\$2,199.00	\$439.80
\$2,851.00	\$570.20
\$235.05	\$47.00
\$2,427.35	\$485.47
\$449.34	\$89.81
\$1,442.00	\$288.40
\$2,192.71	\$438.54
\$3,540.00	\$708.00
\$346.77	\$69.35
\$5,242.00	\$1,048.40
\$609.50	\$121.90
\$465.34	\$93.07
\$473.34	\$94.67
\$698.00	\$136.60
\$541.33	\$108.26
\$733.00	\$146.40
\$498.90	\$99.78
\$488.67	\$97.73
\$488.67	\$97.73
\$465.34	\$372.27
\$0.00	\$327.30
\$186.08	\$37.22
\$274.34	\$54.87
\$710.00	\$142.00
\$710.00	\$142.00
\$1,225.34	\$245.07
\$4,260.00	\$852.00
\$898.68	\$179.74
\$1,049.34	\$209.87
\$1,420.02	\$284.00

-The original Exhibit D inaccurately stated \$13,448.00 here

