

SOCIAL SECURITY ATTORNEY FEE AGREEMENT

This is a Fee Agreement between _____ (“Claimant”) and the attorney whose signature appears below (“Attorney”). Attorney is a member of the firm, Law Offices of Scalise-Qubrosi, P.C., 105 Furr Drive, San Antonio, Texas 78201. This fee agreement is for the sole purpose of pursuing a claim for Disability Insurance Benefits and/or Supplemental Security Income, together with any auxiliary benefits, under the Social Security Act. The scope of this Fee Agreement is limited to representing Claimant in administrative proceedings before the Social Security Administration. Up to and including the Appeals Council **This fee agreement does not apply to appeals to Federal Court.** Any appeal to Federal Court by Attorney will require a separate contract.

Claimant and Attorney agree that if SSA favorably decides the claim(s), Claimant will pay Attorney a fee equal to the lesser of the amount specified under 42 U.S.C.A § 406(a)(2)(A), **currently \$6000, or twenty five percent (25%) of past-due benefits to claimant and claimants family** resulting from the claim(s).

However, the maximum fee specified in the above paragraph applies only if a favorable decision is obtained at the administrative level up to, and including, the hearing before an Administrative Law Judge following the date of this fee agreement. **If subsequent appeals are necessary, and a favorable decision is then obtained, Attorney may request SSA to approve a fee in the amount of twenty five percent (25%) of past-due benefits, with no specific dollar maximum.** In that case, the fee petition process would be used to obtain approval of the fee from SSA.

Claimant and Attorney understand that if Claimant does not receive a fully or partially favorable decision from SSA, Claimant will not owe Attorney any fee. Furthermore, if SSA favorably decides the claim(s), and if there are no past due benefits, this Fee Agreement will not apply. In such an event, or if SSA does not approve this fee agreement, Attorney will submit a Fee Petition for approval of a reasonable fee by SSA, in accordance with the applicable regulations.

Claimant understands that SSA must approve any fee charged by Attorney for services provided in proceedings before the SSA in connection with the claim(s) for benefits, and Claimant has a right under 42 U.S.C. § 406(a)(3) to object to the fees. Claimant also understands and agrees that SSA will withhold the attorney fees from the payment of past due benefits, and SSA will pay such fees directly to attorney.

Claimant agrees to pay any out-of-pocket expenses from third parties incurred by Attorney while acting on Claimant’s behalf regardless of whether Claimant is awarded benefits by SSA. Examples of such expenses include, but are not limited to, copying charges by third parties, fees from doctors for medical records or opinions, and shipping costs.

Dated this _____ day of _____, 2005.

Claimant
SSN:

Celeste Scalise-Qubrosi