

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

HILLARY J. LEARNED,	:	
Plaintiff,	:	Case No. 3:05cv00268
vs.	:	District Judge Thomas M. Rose Magistrate Judge Sharon L. Ovington
MICHAEL J. ASTRUE,	:	
Commissioner of the Social Security Administration,	:	
Defendant.	:	

DECISION AND ORDER

This case is before the Court upon the parties' Joint Motion To Award Attorney Fees Under The Equal Access To Justice Act (EAJA). (Doc. #31). The parties agree that Plaintiff is entitled to an award of attorney fees and costs under the EAJA, 28 U.S.C. §2412, in the total amount of \$2,500.00. Accordingly, the Court hereby **ORDERS** that:

1. The parties' Joint Motion To Award Attorney Fees Under The Equal Access To Justice Act (Doc. #31) is GRANTED;
2. The Commissioner shall pay Plaintiff's attorney fees directly to Plaintiff's counsel pursuant to the EAJA in the total amount of \$2,500.00;
3. Plaintiff's Motion for Attorney Fees (Doc. #30) is DENIED as moot; and
4. The case remains terminated on the docket of this Court.

July 27, 2009

***S/THOMAS M. ROSE**

Thomas M. Rose
United States District Judge