

1 Plaintiff is a prevailing party because the denial of benefits has been reversed and
2 remanded pursuant to sentence four of the Social Security Act. Dkt. ##9-10 *see Gutierrez*,
3 274 F.3d at 1257 (“An applicant for disability benefits becomes a prevailing party for
4 purposes of the EAJA if the denial of her benefits is reversed and remanded[.]”); *Flores*, 49
5 F.3d at 567 (“If the district court enters judgment reversing and remanding under sentence
6 four, then the claimant must apply for fees within 30 days of the date the judgment becomes
7 final.”). Defendant does not contend that the position of the United States in this case was
8 substantially justified or that special circumstances make a fee award unjust. Dkt. #13. The
9 Court therefore concludes that an award of attorney’s fees under the EAJA is appropriate.
10 *See* 28 U.S.C. 2412(d)(1)(a); *Gutierrez*, 274 F.3d at 1257-58.

11 Plaintiff’s counsel, Stephanie Lake, has filed an affidavit and an itemized statement
12 of fees showing that she worked 7.6 hours on this case and that the legal fees and costs total
13 \$1,615.10. Dkt. ##11-2, 11-3. Having reviewed counsel’s affidavit and the statement of
14 fees, and having considered the favorable result counsel obtained for Plaintiff and the
15 relevant fee award factors, *see Hensley v. Eckerhart*, 461 U.S. 424, 429-30 & n.3 (1983), the
16 Court concludes that the requested fee award is reasonable. The Court will grant Plaintiff’s
17 motion and award her \$1,615.10 in attorney’s fees and costs.

18 **IT IS ORDERED:**

- 19 1. Plaintiff’s motion for attorney’s fees (Dkt. #11) is **granted**.
- 20 2. Plaintiff is awarded **\$1,615.10** in attorney’s fees and costs pursuant to the
21 Equal Access to Justice Act, 28 U.S.C. § 2412.

22 DATED this 9th day of September, 2008.

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David G. Campbell
United States District Judge