

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

MARIE SUE REED

PLAINTIFF

V.

NO. 09-5113

MICHAEL J. ASTRUE,
Commissioner of Social Security

DEFENDANT

ORDER

On this 19th day of October, 2010, the Court has before it for consideration plaintiff's request for attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

For reasons set forth in the Report and Recommendation filed by the Honorable Erin L. Setser, United States Magistrate Judge for the Western District of Arkansas, on September 14, 2010, the Court finds that a fee should be awarded. The Magistrate Judge's recommendations are adopted *in toto* and the Court hereby awards plaintiff attorney's fees in the amount of \$2,973.66 representing 17.09 hours of work at a rate of \$174.00 per hour and \$67.34 in costs. This amount shall be paid in addition to, and not out of, any past-due benefits plaintiff may be awarded in the future.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE