

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

**Civil Action No. 06-cv-01887-AP**

**JOHN DURBIN,**

**Plaintiff,**

**vs.**

**MICHAEL J. ASTRUE, Commissioner,  
Social Security Administration,**

**Defendant.**

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**ORDER**

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Upon consideration of Plaintiff's (hereinafter referred to as "claimant") Unopposed Motion for Attorney Fees Pursuant to 42 U.S.C. § 406(b)(1) [Doc. #23] and Claimant's Memorandum in Support thereof [Doc. #24], in which he seeks authorization for payment of attorney fees by the Social Security Administration ("SSA") Commissioner in the amount of \$6,000.00, I have determined that under the standards set forth in 42 U.S.C. § 406(b), Claimant's request for \$6,000.00 for attorney fees is reasonable.

IT IS HEREBY ORDERED that Claimant's Motion is GRANTED, and as a result, the SSA Commissioner is ORDERED to pay Claimant's attorney \$6,000.00 for fees incurred in representing Claimant before this Court, and in this matter. These fees are to be paid from Claimant's retroactive benefits. Claimant's attorney will also be seeking approval of attorney fees, from the Social Security Administration, in the amount of \$9,000.00 for representation of

claimant at the administrative level. Claimant's counsel has already been paid EAJA fees of \$3,435.13. Upon receipt of fees awarded by this Court, claimant's counsel will refund to claimant the amount of the EAJA fees paid of \$3,435.13.

DATED this 26<sup>th</sup> day of October, 2009.

BY THE COURT:

*s/John L. Kane*  
U.S. District Court Judge