

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 08-cv-00201-WYD

TAMMY L. EVANS,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

ORDER AWARDING ATTORNEY FEES

THIS MATTER is before the Court in connection with the Stipulated Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 (filed July 15, 2009). Defendant moves therein for an order granting payment of attorney fees to Plaintiff in the amount of \$5,000.00 under the Equal Access to Justice Act ("EAJA"), 42 U.S.C. § 2412(d). Defendant asserts that the parties have conferred and agreed that Plaintiff should be awarded those fees.

Having reviewed the motion and being fully advised in the premises, I find that an award of fees under the Equal Access to Justice Act is proper and that the stipulated motion should be granted. Accordingly, it is

ORDERED that the Stipulated Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 (Doc. # 24) is **GRANTED**. Attorney's fees in the amount of \$5,000.00 are awarded to Plaintiff. It is

FURTHER ORDERED that in light of this ruling, Plaintiff's Opposed Motion for Attorney Fees under EAJA (Doc. # 23 filed June 29, 2009) is **DENIED AS MOOT**.

Dated July 16, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge