

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 08-cv-00422-REB-MJW

SUSAN SKAER,

Plaintiff,

v.

NATIONAL ACTION FINANCIAL SERVICES, INC., a Georgia corporation,

Defendant.

**ORDER ADOPTING RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

This matter is before me on the following: (1) the plaintiff's **Motion for Attorneys Fees and Costs** [#13] filed May 14, 2008; and (2) the **Recommendation Regarding Plaintiff's Motion for Attorney Fees and Costs (Docket No. 13)** [#18] filed June 17, 2008.

I approve and adopt the magistrate judge's recommendation, I grant the motion for attorney fees and costs in part, and I deny the motion in part.

None of the parties has filed objections to the magistrate judge's recommendation. Therefore, I am required only to review the recommendation for plain error. **See *Morales-Fernandez v. Immigration & Naturalization Service***, 418 F.3d 1116, 1122 (10th Cir. 2005). The recommendation is detailed and well-reasoned. Finding no error, much less plain error, in the magistrate judge's reasoning and recommended disposition, I find and conclude that the arguments advanced, authorities cited, and findings of fact, conclusions of law, and recommendation proposed by the magistrate judge should be approved and adopted.

THEREFORE, IT IS ORDERED as follows:

1. That the magistrate judge's **Recommendation Regarding Plaintiff's Motion for Attorney Fees and Costs (Docket No. 13)** [#18] filed June 17, 2008, is **APPROVED** and **ADOPTED** as an order of this court;

2. That the plaintiff's **Motion for Attorneys Fees and Costs** [#13] filed May 14, 2008, is **GRANTED** in part;


3. That under 15 U.S.C. § 1692k(a)(3), the plaintiff, Susan Skaer, is **AWARDED** attorney fees in the amount of \$2,125 and costs in the amount of \$435.00;

4. That under FED. R. CIV. P. 60(a), the Judgment [#12] filed April 30, 2008, is **AMENDED** to include the award of attorney fees in the amount of \$2,125 and costs in the amount of \$435.00, which amounts are in addition to the judgment in favor of the plaintiff and against the defendant, in the amount of \$4,001.00, as specified in the Judgment [#12];

5. That the plaintiff's **Motion for Attorneys Fees and Costs** [#13] filed May 14, 2008, is **DENIED** otherwise.

Dated March 18, 2009, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge