

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

Civil Action No. 08-cv-00715-REB

KEVIN J. WAGGENER,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

**ORDER GRANTING MOTION FOR ORDER APPROVING STIPULATION OF AWARD
OF ATTORNEY FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT**

Blackburn, J.

The matter before me is the parties' **Motion for Order Approving Stipulation of Award of Attorney Fees Under the Equal Access to Justice Act** [#24] filed October 19, 2009. After careful review of the motion and the file, I conclude that the motion should be granted and that plaintiff should be awarded attorney fees in the amount of \$7,000.00 under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

THEREFORE, IT IS ORDERED as follows:

1. That the **Motion for Order Approving Stipulation of Award of Attorney Fees Under the Equal Access to Justice Act** [#24] filed October 19, 2009, is **GRANTED**;

2. That plaintiff is **AWARDED** attorney fees in the amount of seven thousand dollars (\$7,000.00) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d);

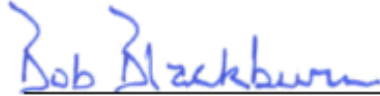
3. That payment shall be made to plaintiff in care of plaintiff's attorney; and

4. That plaintiff's **Opposed Motion for Attorney Fees Under EAJA** [#23] filed

October 14, 2009, is **DENIED AS MOOT**.

Dated October 20, 2009, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge