

**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.

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**MINUTE ORDER<sup>1</sup>**

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The matter comes before the court on plaintiff's **Motion For An Award of Attorney Fees Under 42 U.S.C. § 406(b) [#26]** filed June 21, 2010. The motion is **DENIED WITHOUT PREJUDICE** for failure to include the evidence in support of the motion for an award of attorney fees.

Dated: June 22, 2010

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<sup>1</sup>This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.