

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

Civil Action No. 08-cv-00844-REB

JOEY M. LYNCH,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner, Social Security Administration,

Defendant.

**ORDER GRANTING STIPULATED MOTION FOR AWARD OF
ATTORNEY FEES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT
28 U.S.C. § 2412**

Blackburn, J.

The matter before me is the **Stipulated Motion For Award of Attorney Fees Pursuant To The Equal Access To Justice Act, 28 U.S.C. § 2412** [#22] filed August 28, 2009. After reviewing the motion and the file, I conclude that the motion should be granted and that defendant should be ordered to pay the amount of \$5,550.00 to plaintiff for attorney fees pursuant to the EAJA.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulated Motion For Award of Attorney Fees Pursuant To The Equal Access To Justice Act, 28 U.S.C. § 2412** [#22] filed August 28, 2009, is **GRANTED**;

2. That the defendant shall pay the amount of \$5,550.00 to the plaintiff for attorney fees pursuant to the EAJA;


3. That the payment of the \$5,550.00 shall constitute a complete release from and bar to any claims plaintiff may have relating to EAJA costs and fees in connection with this action;

4. That this award is without prejudice to the right of counsel for the plaintiff to seek attorney fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA; and

5. That **Plaintiff-Appellant's Application For an Award of Reasonable Attorney Fees Under The Equal Access To Justice Act** [#21] filed August 21, 2009, is **DENIED** as moot.

Dated August 31, 2009, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge