

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02203-LTB

NICHOLAS E. DURAN,

Plaintiff,

v.

MICHAEL J. ASTRUE,

Commissioner, Social Security Administration,

Defendant.

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

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The Court has reviewed the parties' stipulated motion, dated October 21, 2009, for an award of attorney fees under the Equal Access to Justice Act, ("EAJA"), 28 U.S.C. §2412(d).

Based upon these documents, the Court hereby orders that:

the stipulation for attorney fees under the EAJA is approved, and Defendant is ordered to pay the amount of \$4,500.00 to Plaintiff for attorney fees under the EAJA;

payment of the \$4,500.00 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; .

this award is without prejudice to the right of Plaintiff's counsel 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.

The EAJA attorney fee award may be made payable to Plaintiff's attorney and mailed to Plaintiff's counsel.

DATED this 22<sup>nd</sup> day of October, 2009.

BY THE COURT:

s/Lewis T. Babcock  
LEWIS T. BABCOCK, JUDGE  
U.S. District Court, District of Colorado