

UNITED STATES DISTRICT COURT  
DISTRICT OF COLORADO  
U.S. District Court Judge Lewis T. Babcock

Case No. 08-cv-02203-LTB

NICHOLAS DURAN,

Plaintiff,

v.

MICHAEL ASTRUE, Commissioner of Social Security

Defendant.

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**ORDER FOR ATTORNEY'S FEES UNDER 42 U.S.C. §406(b)**

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The Court, having reviewed the Plaintiff's Unopposed Motion for Attorneys' Fees under 42 U.S.C. §406(b) pursuant to Fed.R.Civ.P. 60(b)(6), hereby grants the motion and orders as follows:

1. Defendant shall pay to Ann J. Atkinson, attorney for the Plaintiff, the sum of **\$24,664.50** from funds being withheld from the retroactive Social Security disability benefits awarded to the Plaintiff as a result of the remand order issued by this Court.
2. Upon payment of the fees above, the attorney for the Plaintiff shall refund to the Plaintiff the sum of **\$9,000**, representing the awards previously made by this Court for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. §2412(d).

DATED: April 7, 2010

BY THE COURT:

s/Lewis T. Babcock  
U.S. District Court Judge Lewis T. Babcock