

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge John L. Kane

Civil Action No. **09-cv-1155-AP**

**CELBROUGH T. GASKINS,**

Plaintiff,

v.

**MICHAEL J. ASTRUE, Commissioner of Social Security,**

Defendant.

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**ORDER**

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Kane, J.

This matter is before the court on Plaintiff's Amended Application for an Award of Attorneys Fees Under the Equal Access to Justice Act, (doc. #24), filed February 16, 2010. The Motion is **GRANTED**. Failure of the defendant to provide a complete record, which it is required to do, does not warrant equitable relief for special circumstances. The fee request, however is excessive in both the requested hourly rate and hours expended.

**ORDERED** that the Defendant pay to Plaintiff, through counsel, reasonable attorney fees in the amount of **\$6,194.25**, determined as follows: Attorney fees, 30 hours @ \$175.00/hour (\$5,250.00), and paralegal fees, 10 hours at \$85.00/hour (\$850.00) for a total of \$6,100.00 in fees. Although Plaintiff has not filed a bill of costs, the court has determined that Plaintiff incurred costs in the amount of \$94.25, which is included in the amount awarded above.

Dated at Denver, Colorado, this 4<sup>th</sup> day of March, 2010.

BY THE COURT:

*S/John L. Kane*

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JOHN L. KANE, SENIOR JUDGE  
UNITED STATES DISTRICT COURT