

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Case No. 09-cv-01207-WYD

MARK WILTING,

Plaintiff,

v.

MICHAEL J. ASTRUE, as acting Commissioner
of the Social Security Administration,

Defendant.

ORDER

THIS MATTER is before the Court on the parties' Motion for Order Approving Stipulation of Award of Attorney Fees Under the Equal Access to Justice Act. The motion asserts that the parties have stipulated that Plaintiff be awarded attorney fees in the amount of \$4,000.00 under the Equal Access to Justice Act ["EAJA"], 28 U.S.C. § 2412(d). Having reviewed the motion, I find that an award of fees to Plaintiff under the EAJA is proper, that the amount of fees requested is reasonable, and that the Motion should be granted. Accordingly, it is

ORDERED that the Motion for Order Approving Stipulation of Award of Attorney Fees Under the Equal Access to Justice Act (ECF No. 26 filed August 17, 2010) is **GRANTED**. Plaintiff is awarded attorney fees in the amount of \$4,000.00 under the EAJA. Payment of the fees shall be made in accordance with the procedure suggested by Defendant in the motion. It is

FURTHER ORDERED that in light of the foregoing, the earlier filed Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) (ECF No. 24 filed August 11, 2010 by Plaintiff) is **DENIED AS MOOT**.

Dated August 17, 2010

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge