

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Marcia S. Krieger

Civil Action No. 13-cv-00434-MSK

GERALD A. MARQUEZ,

Plaintiff,

v.

CAROLYN COLVIN, acting Commissioner of Social Security,

Defendant.

ORDER

THIS MATTER is before the Court on the Plaintiff's Unopposed Motion for Attorney's Fees under 42 U.S.C. §406(b) pursuant to Fed.R.Civ.P. 60(b)(6). The Court having reviewed the Motion and noting service on all parties, and being fully advised, hereby ORDERS as follows:

The Motion is GRANTED. Attorney for the Plaintiff, Ann J. Atkinson, Attorney at Law, is authorized to collect a fee under 42 U.S.C. §406(b) in the amount of \$15,057.00, to be paid by the Defendant from funds she is currently withholding from the Plaintiff's retroactive benefits. Upon receipt of the fee awarded herein, the counsel for the Plaintiff shall reimburse to the Plaintiff the \$5,074.48 paid to her under the Court's Order for fees under Equal Access to Justice Act, 28 U.S.C. §2412(d), i.e., CM/ECF Document #27, pursuant to *Gisbrecht v. Barnhart*, 535 U.S. 789, 152 L.2d.2d 996, 122 S.Ct. 1817 (2002).

DATED this 22nd day of March, 2016.

BY THE COURT:

Marcia S. Krieger

Marcia S. Krieger
United States District Court