

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
KEY WEST DIVISION

CASE NO. 07-10089-CIV-KING

EDWARD P. TORTOLANO,

Plaintiff,

v.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

**ORDER GRANTING PLAINTIFF'S APPLICATION FOR ATTORNEY'S
FEE UNDER THE EQUAL ACCESS TO JUSTICE ACT**

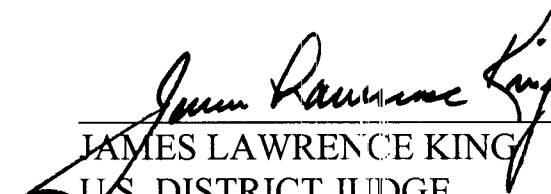
THIS CAUSE comes before the Court upon the January 20, 2009 Report and Recommendation ("R&R") of Magistrate Judge Robert L. Dube (D.E. #25), recommending that the "Application for Attorney's Fees (D.E. #23) be **GRANTED** and that the Plaintiff should be entitled to recover for **26.45** hours of work performed in this case, resulting in a total recovery of **\$4,627.58** as attorney's fees." D.E. #25. Additionally, Magistrate Judge Robert L. Dube recommended that "the fees should be **payable to the Plaintiff** . . . and the Plaintiff should be awarded the sum of **\$350.00** for the filing fee to be paid out of the Judgment Fund." *Id.* The parties have not filed any objections, and the time to do so has passed.

After a thorough review of the record, the undersigned concludes that the R&R contains well-reasoned recommendations.

Accordingly, the Court being otherwise fully advised, it is ORDERED,

ADJUDGED, and DECREED that Magistrate Judge Robert L Dube's January 20, 2009 R&R (D.E. #25) be, and the same is hereby, **AFFIRMED and ADOPTED**. The Plaintiff's Application for Attorney's Fee Under the Equal Access to Justice Act (D.E. #23) is hereby **GRANTED**. The Plaintiff is hereby awarded both the sum of \$4,627.58 as attorney's fees and the sum of \$350.00 for the filing fee (to be paid out of the Judgment Fund). These awards should be made payable to the Plaintiff.

DONE and ORDERED in chambers at the James Lawrence King Federal Justice Building and United States Courthouse, Miami, Florida, this 24th day of February, 2009.



JAMES LAWRENCE KING
U.S. DISTRICT JUDGE
SOUTHERN DISTRICT OF FLORIDA

cc: **Magistrate Judge Robert L. Dube**

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