

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BRIAN J. WILLIAMS,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social
Security,

Defendant.

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No. 4:07-CV-1649 (CEJ)

ORDER

This matter is before the Court on plaintiff's motion for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). In support of his request, plaintiff has submitted an itemized statement of time spent by her attorney in the proceedings before this Court. See Plaintiff's Exhibit A.

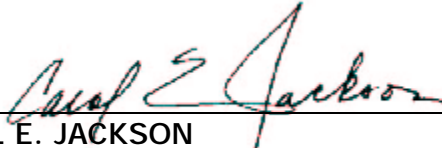
By Order dated January 28, 2009, this Court remanded this case to the defendant Commissioner for further proceedings, pursuant to sentence four of 42 U.S.C. § 405(g). A claimant seeking judicial review of a final decision denying Social Security disability benefits may recover attorney's fees if she receives a "sentence four" remand. See Shalala v. Schaefer, 509 U.S. 292, 295-96 (1993).

Initially, plaintiff sought an award in the amount of \$5,918.56, representing 35.1 hours at \$168.62 per hour. However, the parties have jointly agreed to an award of attorney fees in the amount of \$5,395.84, and defendant consents to making payment directly to plaintiff's counsel. See Ratliff v. Astrue, 540 F.3d 800, 801 (8th Cir. 2008) (attorneys' fees awarded under the EAJA are awarded to the prevailing parties' attorneys rather than the parties themselves). The Court has reviewed the application and supporting documentation and concludes that the requested amount is appropriate.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for attorney's fees [Doc. #40] is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff is awarded fees in the amount of \$5,395.84, payable to counsel for plaintiff, Eve D. Dake.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 29th day of May, 2009.