

**Case No. CIV-23-13-SPS**

Accordingly, IT IS ORDERED that the Plaintiff's Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act (Doc. 22) is hereby GRANTED, and the Commissioner is ordered to pay attorney fees in the amount of \$8,483.50 to the Plaintiff as the prevailing party.

IT IS FURTHER ORDERED that if the Plaintiff's attorney is subsequently awarded any fees pursuant to 42 U.S.C. § 406(b)(1), said attorney shall refund the smaller amount of such fees to the Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

**IT IS SO ORDERED** this 29th day of April, 2024.



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**STEVEN P. SHREDER**  
**UNITED STATES MAGISTRATE JUDGE**