

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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RUBY BROGDON, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 00-2531-GV  
 )  
 LARRY G. MASSANARI, )  
 Acting Commissioner of the )  
 Social Security Administration, )  
 )  
 Defendant. )

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ORDER GRANTING AWARD OF ATTORNEY FEES AND EXPENSES

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Plaintiff Ruby Brogdon has moved for an award of attorney fees as a prevailing party under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, to cover the cost of pursuing judicial review of a decision by the Commissioner of the Social Security Administration denying her benefits before age 55. Brogdon seeks fees in the amount of \$2,816.10 and expenses in the amount of \$76.96, for a total payment of \$2,893.06. The defendant does not object to an award in this amount. The motion has been referred to the United States Magistrate Judge for a determination.

It appears to the court that Brogdon satisfies the criteria for an award of fees under the EAJA, that the hourly rates used to calculate the fees are appropriate under the EAJA, and the expenses incurred were reasonable and necessary. Accordingly, Brogdon is

awarded fees in the amount of \$2,816.10 and expenses in the amount of \$76.96, for a total award of \$2,893.06. The Commissioner is directed to certify the amount for payment.

IT IS SO ORDERED this 25th day of October, 2001.

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DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE