

**FILED**

**OCT 22 2007**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

U.S. DISTRICT COURT  
WHEELING, WV 26003

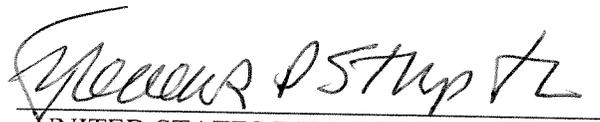
FRED J. ARBONAISE	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 5:06-CV-68
	)	
MICHAEL J. ASTRUE, <sup>1</sup>	)	
Commissioner of	)	
Social Security,	)	
Defendant.	)	

**ORDER**

Upon consideration of the Plaintiff's application for attorneys fees, and the Defendant's response with no objection thereto, it is hereby

**ORDERED** that the Defendant pay Travis M. Miller, Esquire attorney fees, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, in the amount of Two Thousand Eight Hundred Dollars and Thirty-Two Cents (\$2,800.32)

Date: October 22, 2007

  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted, therefore, for former Commissioner Jo Anne B. Barnhart, as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).