

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Piroska Smith v. Commissioner of Social Security

Smith · No. 1:23-cv-00660-BAM · Decided July 22, 2025

SUMMARY

This document is a stipulation and order awarding Plaintiff \$11,000 in attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), in Smith v. Commissioner of Social Security. The award is subject to Treasury offset procedures and includes no costs under 28 U.S.C. § 1920. The order was entered by Magistrate Judge Barbara A. McAuliffe on July 22, 2025, and denied as moot Plaintiff’s previously filed EAJA fee motion.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
DECIDED	July 22, 2025
DOCKET	1:23-cv-00660-BAM
DISPOSITION	other
PROCEDURAL POSTURE	The parties submitted a stipulation for an award of attorney fees under the Equal Access to Justice Act. The court approved the stipulation and awarded Plaintiff \$11,000 in fees, denied costs, and denied as moot Plaintiff's previously filed fee motion.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- attorney fees
- costs
- administrative law
- civil procedure

PRACTICE AREAS

- Social Security
- attorney fees
- administrative law

QUESTIONS PRESENTED

- Whether the court should approve the parties' stipulation awarding Plaintiff \$11,000 in attorney fees under the Equal Access to Justice Act.

2. Whether Plaintiff's previously filed motion for EAJA attorney fees should remain pending after approval of the stipulated award.

HOLDINGS

1. The court approved the parties' stipulation and awarded Plaintiff \$11,000 in attorney fees under 28 U.S.C. § 2412(d), with no costs under 28 U.S.C. § 1920, subject to the terms of the stipulation.
2. Plaintiff's previously filed motion for EAJA attorney fees was denied as moot.

KEY QUOTATIONS

“Pursuant to the parties’ stipulation, IT IS ORDERED that Plaintiff is awarded attorney fees in the amount of ELEVEN THOUSAND DOLLARS AND NO CENTS (\$11,000.00) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920, be awarded subject to the terms of the stipulation.” (Order at 2)

FACTUAL BACKGROUND

The parties agreed that Plaintiff should receive \$11,000 in attorney fees under the Equal Access to Justice Act and no costs under 28 U.S.C. § 1920. The stipulated amount covered legal services and costs incurred in connection with this action and Ninth Circuit case No. 24-6911. The stipulation provided that payment would be made to Plaintiff, with direct payment to counsel possible if no federal-debt offset applied.

PROCEDURAL HISTORY

Plaintiff sought attorney fees under the EAJA in connection with the civil action and a related Ninth Circuit action. The parties stipulated to an \$11,000 fee award and no costs, subject to court approval. The court approved the stipulation and denied Plaintiff's prior EAJA fee motion as moot.

DISPOSITION

other

CASES CITED

- Astrue v. Ratliff, 560 U.S. 586 (2010)