

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Pat Darwin Caudill v. Commissioner of Social Security

No. 1:22-cv-01154-CDB (SS) (E.D. Cal. Dec. 9, 2025) · No. 1:22-cv-01154-CDB (SS) · Decided December 9, 2025

SUMMARY

The United States District Court for the Eastern District of California granted the parties’ stipulated request for attorney’s fees and costs under the Equal Access to Justice Act and 28 U.S.C. § 1920. The court awarded \$7,700.00 in attorney’s fees and \$402.00 in costs to the plaintiff, subject to Treasury Offset Program requirements and potential direct payment to plaintiff’s counsel.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 9, 2025
DOCKET	1:22-cv-01154-CDB (SS)
DISPOSITION	other
PROCEDURAL POSTURE	Following a sentence-four remand in a Social Security case and entry of judgment for Plaintiff, the parties stipulated to an award of attorney fees under the Equal Access to Justice Act and costs under 28 U.S.C. § 1920.
STANDARD OF REVIEW	The Court evaluated whether Plaintiff was a prevailing party under the EAJA, whether the government's position was substantially justified, whether special circumstances made an award unjust, and whether the requested fees and costs were reasonable.
PRECEDENTIAL VALUE	Unpublished district court order; limited persuasive value.
PARTIES	Pat Darwin Caudill v. Commissioner of Social Security

TOPICS

- attorney fees
- costs
- judicial review of agency action
- summary judgment
- administrative law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff qualified as a prevailing party entitled to attorney fees under the Equal Access to Justice Act after obtaining a sentence-four remand.
2. Whether the government's position was substantially justified or special circumstances made an EAJA fee award unjust.
3. Whether Plaintiff was entitled to the stipulated \$7,700 attorney-fee award and \$402 cost award.
4. Whether the fee, expense, and cost award was subject to Treasury Offset Program deductions and conditional direct payment to Plaintiff's counsel.

HOLDINGS

1. A party who obtains a sentence-four remand under 42 U.S.C. § 405(g) is a prevailing party for purposes of the EAJA.
2. Plaintiff was entitled to an EAJA attorney-fee award because he prevailed, timely sought fees, the government did not establish substantial justification, and no special circumstances made an award unjust.
3. The stipulated request for \$7,700 in EAJA attorney fees was reasonable and should be awarded.
4. Plaintiff was entitled to the stipulated \$402 award of costs under 28 U.S.C. §§ 2412(a)(1) and 1920.
5. EAJA fees, expenses, and costs remain subject to permissible Treasury Offset Program deductions; if no federal debt offset applies, payment may be made directly to Plaintiff's counsel as provided in the stipulation.

KEY QUOTATIONS

“Under the EAJA, a court shall award attorney fees to the prevailing party unless it finds the government’s position was “substantially justified or that special circumstances make such an award unjust.”” (at 1)

“EAJA fees, expenses, and costs are subject to any offsets allowed under the Treasury Offset Program (“TOP”), as discussed in Astrue v. Ratliff, 560 U.S. 586 (2010).” (at 3)

FACTUAL BACKGROUND

Plaintiff prevailed on summary judgment in his Social Security action and obtained a sentence-four remand for further proceedings. He sought \$7,700 in EAJA attorney fees and \$402 in costs, with payment to be made to Plaintiff and, if no federal debt offset applied, directly to his counsel. The Court found the requested amount reasonable based on approximately 32 hours of attorney work, review of an approximately 2,078-page administrative record, and preparation of a 14-page summary-judgment argument.

PROCEDURAL HISTORY

The Court granted Plaintiff's motion for summary judgment on September 23, 2025, remanded the case to the Commissioner for further proceedings under 42 U.S.C. § 405(g), and entered judgment the same day. Plaintiff filed a timely stipulation for attorney fees and costs on December 8, 2025, and the Commissioner did not oppose the request.

DISPOSITION

other

REMAND INSTRUCTIONS

No new remand was ordered in this fee proceeding. The prior sentence-four remand directed the Commissioner to conduct further proceedings consistent with the Court's September 23, 2025 order.

CASES CITED

- Shalala v. Schaefer, 509 U.S. 292, 300-02 (1993)
- Van v. Barnhart, 483 F.3d 600, 607 (9th Cir. 2007)
- Sanchez v. Berryhill, No. 1:16-cv-01081-SKO, 2018 WL 509817, at *2 (E.D. Cal. Jan. 23, 2018)
- Knyazhina v. Colvin, No. 2:12-cv-2726 DAD, 2014 WL 5324302, at *1 (E.D. Cal. Oct. 17, 2014)
- Thangaraja v. Gonzales, 428 F.3d 870, 876-77 (9th Cir. 2005)
- Armstrong v. Astrue, No. CIV-S-07-1456-DAD, 2008 WL 2705023, at *2 (E.D. Cal. July 9, 2008)
- Astrue v. Ratliff, 560 U.S. 586 (2010)

OPINION

Pat Darwin Caudill v. Commissioner of Social Security

PER CURIAM.

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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

10 11 PAT DARWIN CAUDILL, Case No. 1:22-cv-01154-CDB (SS) 12 Plaintiff, ORDER ON
STIPULATION FOR AWARD

OF ATTORNEY FEES AND COSTS

13 v. PURSUANT TO THE EQUAL ACCESS TO

JUSTICE ACT, 28 U.S.C. § 2412(d) AND 28

14 COMMISSIONER OF SOCIAL SECURITY, U.S.C. § 1920

15 Defendant. (Doc. 23) 16 17 Pending before the Court is the stipulated request of Plaintiff Pat
Darwin Caudill 18 (“Plaintiff”) for the award of attorney’s fees pursuant to the Equal Access to
Justice Act 19 (“EAJA”), 28 U.S.C. § 2412(d), in the amount of \$7,700.00, and costs in the
amount of \$402.00 20 under 28 U.S.C. § 1920, to counsel for Plaintiff, Steven Gilbert Rosales.1

(Doc. 23). 21 The parties agree that an award of attorney's fees to counsel for Plaintiff should be made 22 payable to Plaintiff, but if the Department of the Treasury determines that Plaintiff does not owe 23 a federal debt, then the Commissioner shall cause the payment of fees, expenses, and costs to be 24 made directly to Plaintiff's counsel, Steven Gilbert Rosales. *Id.* at 2. 25 On September 23, 2025, the Court granted Plaintiff's motion for summary judgment and 26 remanded the case to the Commissioner for further proceedings consistent with the order. (Doc. 27 20). Judgment was entered the same day. (Doc. 21). On December 8, 2025, Plaintiff filed the 1 pending stipulation for attorney fees as a prevailing party. (Doc. 23). See *Shalala v. Schaefer*, 2 509 U.S. 292, 300-02 (1993) (concluding that a party who prevails with a sentence-four remand 3 order under 42 U.S.C. § 405(g) is a prevailing party). Plaintiff's filing is timely. *Van v. Barnhart*, 4 483 F.3d 600, 607 (9th Cir. 2007). The Commissioner does not oppose the requested relief. 5 (Doc. 24). 6 The EAJA provides for an award of attorney fees to private litigants who both prevail in 7 civil actions (other than tort) against the United States and timely file a petition for fees. 28 8 U.S.C. § 2412(d)(1)(A). Under the EAJA, a court shall award attorney fees to the prevailing 9 party unless it finds the government's position was "substantially justified or that special 10 circumstances make such an award unjust." *Id.* Here, the government did not show its position 11 was substantially justified and the Court finds there are not special circumstances that would 12 make an award unjust. Moreover, the government does not oppose Plaintiff's stipulated request. 13 See *Sanchez v. Berryhill*, No. 1:16-cv-01081-SKO, 2018 WL 509817, at *2 (E.D. Cal. Jan. 23, 14 2018) (finding position of the government was not substantially justified in view of the 15 Commissioner's assent to remand); *Knyazhina v. Colvin*, No. 2:12-cv-2726 DAD, 2014 WL 16 5324302, at *1 (E.D. Cal. Oct. 17, 2014) (same). 17 Plaintiff requests an award of \$7,700.00 in EAJA fees as authorized by 28 U.S.C. § 2412 18 and \$402.00 in costs as authorized by 28 U.S.C. § 1920. (Doc. 23). The Ninth Circuit maintains 19 a list of the statutory maximum hourly rates authorized by the EAJA, adjusted for increases in 20 the cost of living, on its website. See *Thangaraja v. Gonzales*, 428 F.3d 870, 876-77 (9th Cir. 21 2005). Even assuming Plaintiff's counsel seeks the median of the published maximum rate 22 associated with the years (2022 through 2023) during which he engaged in services in this case 23 (which the Court computes as \$239.79),² the requested award would amount to approximately 24 32 hours of attorney time (not accounting for any paralegal time expended). The Court finds this 25 reasonable and commensurate with the number of hours an attorney would need to have spent 26 reviewing the certified administrative record in this case (approximately 2,078 pages; Doc. 15) 27 2 Statutory Maximum Rates Under the Equal Access to Justice, available at 1 | and preparing a motion for summary judgment that includes 14 pages of argument (Doc. 16 at 6- 20). With respect to the results obtained, Plaintiffs counsel obtained a favorable judgment 3 | remanding the case for further proceedings. (Docs. 20, 21). 4 Under the EAJA, the Court also may award a judgment of costs to the prevailing party. 28 5 | U.S.C. § 2412(a)(1) (citing 28 U.S.C. § 1920). Costs include, among other things, court filing 6 | fees, as requested by Plaintiff here. See 28 U.S.C. § 1920 &

(Doc. 23-1 at 2); *Armstrong v. 7 | Astrue*, No. CIV-S-07-1456-DAD, 2008 WL 2705023, at *2 (E.D. Cal. Jul. 9, 2008) (granting 8 | prevailing plaintiff's request for reimbursement of filing fee). 9 EAJA fees, expenses, and costs are subject to any offsets allowed under the Treasury Offset 10 | Program ("TOP"), as discussed in *Astrue v. Ratliff*, 560 U.S. 586 (2010). If the Commissioner 11 | determines upon effectuation of this order that Plaintiff's EAJA fees are not subject to any offset 12 | allowed under the TOP, the fees shall be delivered or otherwise transmitted to Plaintiffs counsel. 13 Accordingly, it is HEREBY ORDERED: 14 1. Plaintiff's stipulated request for attorney's fees pursuant to the EAJA and costs pursuant 15 to 28 U.S.C. § 1920 (Doc. 23) is GRANTED; and 16 2. The Commissioner is directed to pay to Plaintiff as the prevailing party attorney's fees in 17 the amount of \$7,700.00 and in costs in the amount of \$402.00 pursuant to the terms set 18 forth in the parties' stipulation. (Doc. 23). Fees shall be made payable to Plaintiff, but if 19 the Department of the Treasury determines that Plaintiff does not owe a federal debt, then 20 the government shall cause the payment of fees, expenses, and costs to be made directly 21 to Plaintiff's counsel, as set forth in the stipulation. 22 IT IS SO ORDERED. Dated: _December 9, 2025 | ww RR

24 UNITED STATES MAGISTRATE JUDGE

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