

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Danielle Derden v. Commissioner of Social Security

No. 24-cv-7987-JST (N.D. Cal. June 26, 2025) · No. 24-cv-7987-JST · Decided June 26, 2025

SUMMARY

This document is a stipulation and proposed order resolving Plaintiff Danielle Derden’s request for attorney fees under the Equal Access to Justice Act in a Social Security action. The court approved an award of \$7,000, subject to the Treasury Offset Program and payment conditions described in the stipulation.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jon S. Tigar
DECIDED	June 26, 2025
DOCKET	24-cv-7987-JST
DISPOSITION	approved
PROCEDURAL POSTURE	The parties submitted a stipulation requesting approval of a \$7,000 award of attorney fees to Plaintiff under the Equal Access to Justice Act.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- attorney fees
- administrative law
- civil procedure

PRACTICE AREAS

- Social Security
- Administrative Law
- Attorney Fees

QUESTIONS PRESENTED

- Whether the court should approve the parties' stipulated \$7,000 award of attorney fees under the Equal Access to Justice Act.
- Whether the EAJA award should be paid to Plaintiff, subject to Treasury Offset Program requirements and the payment arrangements specified in the stipulation.

HOLDINGS

1. The court approved and ordered an EAJA attorney-fee award of \$7,000.
2. The \$7,000 EAJA award is subject to offset under the Treasury Offset Program and must be paid in the manner outlined in the parties' stipulation.

KEY QUOTATIONS

“PURSUANT TO STIPULATION, EQUAL ACCESS TO JUSTICE (EAJA) ATTORNEY FEES ARE ORDERED IN THE AMOUNT OF SEVEN THOUSAND DOLLARS (\$7,000), SUBJECT TO OFFSET UNDER THE TREASURY OFFSET PROGRAM, AND SHALL BE PAID IN THE MANNER OUTLINED IN THE PARTIES’ STIPULATION.” (Order at 3)

FACTUAL BACKGROUND

Plaintiff was the prevailing party in the underlying Social Security action and sought attorney fees under the Equal Access to Justice Act. The parties stipulated to an award of \$7,000, with payment subject to any applicable Treasury Offset Program debt and the conditions governing payment to Plaintiff's attorney.

PROCEDURAL HISTORY

After Plaintiff prevailed in the civil action, the parties agreed to compromise Plaintiff's request for EAJA attorney fees and expenses. The district court approved the stipulation and ordered the \$7,000 award, subject to the Treasury Offset Program and payable as described in the stipulation.

DISPOSITION

approved

CASES CITED

- Astrue v. Ratliff, 130 S. Ct. 2521, 2528-29 (2010)

OPINION

Derden v. Dudek

PER CURIAM.

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

7) CASE NO. 24-cv-7987-JST

8 DANIELLE DERDEN)

) STIPULATION AND PROPOSED

9 Plaintiff,) ORDER APPROVING SETTLEMENT

) OF ATTORNEY FEES PURSUANT TO

10 vs.) THE EQUAL ACCESS TO JUSTICE

) ACT

11 Commissioner Of Social Security,)) 12 Defendant.)) 13) 15 IT IS HEREBY STIPULATED
by and between the parties through their undersigned counsel, 15 subject to the approval of the
Court, that Plaintiff be awarded attorney fees under the Equal Access to 16 Justice Act (EAJA), 28
U.S.C. § 2412(d), in the amount of SEVEN THOUSAND DOLLARS (\$7,000). 17 This amount
represents compensation for all legal services rendered on behalf of Plaintiff by Plaintiff's 18
counsel, Katherine R. Siegfried (Plaintiff's Attorney), in connection with this civil action, in
accordance 19 with 28 U.S.C. §§ 1920, 2412(d). Plaintiff was the prevailing party in this matter
and their net worth is 20 less than two million dollars. See, ECF Doc. 2. After the Court issues an
order for EAJA fees to the 21 Plaintiff, the government will consider the matter of the Plaintiff's
assignment of EAJA fees to the 22 Plaintiff's Attorney. 23 Under *Astrue v. Ratliff*, 130 S. Ct. 2521,
2528-29 (2010), EAJA fees awarded by this Court 24 belong to the Plaintiff and are subject to
offset under the Treasury Offset Program (31 U.S.C. § 25 3716(c)(3)(B) (2006)). Any EAJA fees
should, therefore, be awarded to Plaintiff and not to Plaintiff's 26 attorney. If, after receiving the
Court's EAJA fee order, the Commissioner (1) determines that Plaintiff 27 has assigned their right
to EAJA fees to their attorney; (2) determines that Plaintiff does not owe a debt 28

STIPULATION 1 24-cv-7987-JST

1 that is subject to offset under the Treasury Offset Program, and (3) agrees to waive the
requirements of 2 the Anti-Assignment Act, then the EAJA fees will be made payable to Plaintiff's
attorney. However, if 3 there is a debt owed under the Treasury Offset Program, the Commissioner
cannot agree to waive the 4 requirements of the Anti-Assignment Act, and the remaining EAJA
fees after offset will be paid by a 5 check or electronic fund transfer (EFT) made out to Plaintiff
but delivered to Plaintiff's attorney. 6 This stipulation constitutes a compromise settlement of
Plaintiff's request for EAJA attorney fees 7 and expenses. It does not constitute an admission of
liability on the part of Defendant under the EAJA or 8 otherwise. Payment of the agreed amount
shall constitute a complete release from, and bar to, all claims 9 that Plaintiff and/or Plaintiff's
Attorney, including the Law Office of Katherine Siegfried, may have 10 concerning EAJA
attorney fees and expenses in connection with this action. This award is without 11 prejudice to
the rights of the Law Office of Katherine Siegfried to seek Social Security Act attorney fees 12
under 42 U.S.C. § 406, subject to the savings provisions of the EAJA. 13 15 Date: June 18, 2025
KATHERINE SIEGFRIED 15 Law Office of Katherine Siegfried, Esq. 16 By: /s/Katherine
Siegfried Katherine Siegfried 17 Attorney for the Plaintiff 18 Date: June 18, 2025 PATRICK D.
ROBBINS 19 Acting United States Attorney 20 By: /s/ Oscar Gonzalez 21 Oscar Gonzalez 22
Special Assistant United States Attorney Attorney for Defendant 23 (As authorized per email) 24

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STIPULATION 2 24-cv-7987-JST

1 ORDER

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PURSUANT TO STIPULATION, EQUAL ACCESS TO JUSTICE (EAJA) ATTORNEY FEES
ARE

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ORDERED IN THE AMOUNT OF SEVEN THOUSAND DOLLARS (\$7,000), SUBJECT TO

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OFFSET UNDER THE TREASURY OFFSET PROGRAM, AND SHALL BE PAID IN THE
5 MANNER OUTLINED IN THE PARTIES' STIPULATION. 6

7 Dated: J_u_n_e_ 2_6_,_ 2_0_2_5 8

Hon. Jon S. Tigar

UNITED STATES DISTRICT COURT JUDGE

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STIPULATION 3 24-cv-7987-JST