

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

Ruth H. S. v. Frank Bisignano

Ruth H. S. · No. No. 24-cv-5117 · Decided February 27, 2026

SUMMARY

The United States District Court for the Eastern District of Pennsylvania partially granted and partially denied Plaintiff's motion for attorney's fees under 42 U.S.C. § 406(b). The court awarded Joshua B. Goldberg \$16,500 in fees and ordered him to remit \$3,000 to the plaintiff for fees previously paid under the Equal Access to Justice Act.

CASE DETAILS

COURT	United States District Court for the Eastern District of Pennsylvania
WRITING FOR THE COURT	Craig M. Straw
JURISDICTION	United States District Court for the Eastern District of Pennsylvania
DECIDED	February 27, 2026
DOCKET	No. 24-cv-5117
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for attorney's fees under 42 U.S.C. § 406(b), and the Commissioner responded.
PRECEDENTIAL VALUE	Unknown
PARTIES	Ruth H. S. v. Frank Bisignano, Commissioner of Social Security

TOPICS

- attorney fees
- administrative law
- civil procedure

PRACTICE AREAS

- Social Security
- attorney's fees
- administrative law

QUESTIONS PRESENTED

- Whether Plaintiff's counsel should be awarded attorney's fees under 42 U.S.C. § 406(b), and in what amount.

2. Whether counsel receiving a § 406(b) award must remit to Plaintiff fees previously paid under the Equal Access to Justice Act.

HOLDINGS

1. Plaintiff's counsel is entitled to an attorney's-fee award under 42 U.S.C. § 406(b) in the amount of \$16,500.00.
2. Upon receiving the § 406(b) award, counsel must directly remit \$3,000.00 to Plaintiff, representing fees previously paid to counsel's firm under the Equal Access to Justice Act.

FACTUAL BACKGROUND

Plaintiff's counsel, Joshua B. Goldberg, sought attorney's fees pursuant to 42 U.S.C. § 406(b). Counsel had already received \$3,000.00 in fees under the Equal Access to Justice Act. The court awarded \$16,500.00 under § 406(b) and ordered counsel to remit the previously paid \$3,000.00 to Plaintiff.

PROCEDURAL HISTORY

After proceedings in this Social Security matter, Plaintiff sought an award of attorney's fees under 42 U.S.C. § 406(b). The court granted the motion in part and denied it in part, awarding Plaintiff's counsel \$16,500.00 and directing counsel to remit \$3,000.00 to Plaintiff for fees previously paid under the Equal Access to Justice Act.

DISPOSITION

other

CASES CITED

- *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA RUTH H. S.,: CIVIL ACTION v.: No. 24-cv-5117 FRANK BISIGNANO,: Commissioner of Social Security: ORDER AND NOW, this 27th day of February 2026, upon consideration of Plaintiff's Motion for Attorney's Fees Pursuant to 42 U.S.C. § 406(b) (Docs. 15, 16), and Defendant's Response to Plaintiff's Petition for Attorney's Fees Under 42 U.S.C. § 406(b) (Doc.

17), it is hereby ORDERED that: 1. The Motion for Attorney's Fees is hereby GRANTED, in part, and DENIED, in part. 2. Joshua B. Goldberg is awarded \$16,500.00 in attorney's fees pursuant to 42 U.S.C. § 406(b).¹ BY THE COURT: /s/ Craig M. Straw CRAIG M. STRAW U.S. Magistrate Judge 1 Upon receiving the \$16,500.00 award, Mr. Goldberg is ordered to directly remit to Plaintiff \$3,000.00, which is the sum of the fees already paid to his firm pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

See *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002).

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