

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Melissa Jane Collins Cooper v. Kilolo Kijakazi, Acting Commissioner
of Social Security**

Cooper v. Kijakazi · No. 1:22-cv-01140-SKO · Decided March 8, 2023

SUMMARY

The United States District Court for the Eastern District of California approved the parties' stipulation awarding Plaintiff Melissa Jane Collins Cooper \$1,300 in attorney fees and expenses under the Equal Access to Justice Act. The court awarded no costs under 28 U.S.C. § 1920 and made the award subject to the stipulation's provisions concerning Treasury offsets and payment pursuant to an assignment.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 8, 2023
DOCKET	1:22-cv-01140-SKO
DISPOSITION	other
PROCEDURAL POSTURE	The parties submitted a stipulation and unopposed motion requesting an award of attorney fees and expenses under the Equal Access to Justice Act and no costs under 28 U.S.C. § 1920.
PRECEDENTIAL VALUE	unpublished

TOPICS

[attorney fees](#) [costs](#) [administrative law](#) [remedies](#) [civil procedure](#)

PRACTICE AREAS

[Social Security](#) [attorney fees](#) [federal civil procedure](#)

QUESTIONS PRESENTED

1. Whether the court should approve the parties' stipulation and award \$1,300 in attorney fees and expenses under the Equal Access to Justice Act.

2. Whether costs should be awarded under 28 U.S.C. § 1920.

HOLDINGS

1. The court approved the stipulation and awarded Cooper \$1,300 in attorney fees and expenses under 28 U.S.C. § 2412, subject to the terms of the stipulation.
2. No costs were awarded under 28 U.S.C. § 1920.

KEY QUOTATIONS

“IT IS ORDERED that fees and expenses in the amount of \$1,300.00 as authorized by 28 U.S.C. § 2412, and no costs under 28 U.S.C. § 1920, be awarded subject to the terms of the Stipulation and Unopposed Motion.”
(Order)

FACTUAL BACKGROUND

Melissa Jane Collins Cooper sought attorney fees and expenses under the Equal Access to Justice Act in connection with this Social Security action. The parties agreed to a \$1,300 award, with no costs under 28 U.S.C. § 1920. The stipulation addressed payment to Cooper, possible direct payment to counsel under an assignment, and potential Treasury offset for federal debt.

PROCEDURAL HISTORY

After the civil action, the parties stipulated to an award of \$1,300 in EAJA fees and expenses. The court approved the stipulation and ordered the award, subject to the stipulation's terms, while denying costs under 28 U.S.C. § 1920.

DISPOSITION

other

CASES CITED

- Astrue v. Ratliff, 130 S. Ct. 2521, 2529 (2010)