

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Stacey A. v. Frank Bisignano, Commissioner of Social Security

Stacey A. · No. 24-cv-01310 (DJF) · Decided December 8, 2025

SUMMARY

The United States District Court for the District of Minnesota granted in part the plaintiff’s motion for attorney’s fees under the Equal Access to Justice Act and approved the parties’ stipulation. The court ordered payment of \$10,000 in fees, subject to any applicable Treasury Offset Program debt and the requirements of the Anti-Assignment Act.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Dulce J. Foster
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	December 8, 2025
DOCKET	24-cv-01310 (DJF)
DISPOSITION	other
PROCEDURAL POSTURE	Following remand to the Commissioner for further administrative proceedings, Plaintiff moved for attorney fees under the Equal Access to Justice Act. The parties stipulated to an award of \$10,000.
STANDARD OF REVIEW	The court reviewed the record in connection with Plaintiff's EAJA fee motion and the parties' stipulation.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not identified in the source.
PARTIES	Stacey A. v. Frank Bisignano, Commissioner of Social Security

TOPICS

- attorney fees
- administrative law
- judicial review of agency action
- remedies
- civil procedure

PRACTICE AREAS

- Social Security
- administrative law
- attorney fees
- remedies

QUESTIONS PRESENTED

1. Whether Plaintiff should receive an award of attorney fees under the Equal Access to Justice Act.
2. Whether the parties' stipulation for \$10,000 in EAJA fees should be approved.
3. Whether the EAJA fee award may be offset against qualifying preexisting debt owed by Plaintiff to the United States.

HOLDINGS

1. The court granted Plaintiff's EAJA fee motion in part and awarded \$10,000 in attorney fees pursuant to the parties' stipulation.
2. The EAJA fees may be subject to offset to satisfy any preexisting debt Plaintiff may owe the United States.

KEY QUOTATIONS

“The Government shall pay Plaintiff \$10,000.00 in attorney fees.”

“In accordance with Astrue v. Ratliff, 560 U.S. 586 (2010), the EAJA fees may be subject to offset to satisfy any preexisting debt Plaintiff may owe the United States.”

FACTUAL BACKGROUND

Plaintiff's Social Security action was remanded to the Commissioner for further administrative proceedings. Plaintiff then sought \$10,975 in attorney fees under the Equal Access to Justice Act, but the parties stipulated to an award of \$10,000. The court approved the stipulated award, subject to potential offset for qualifying preexisting federal debt.

PROCEDURAL HISTORY

The action had previously been remanded to the Commissioner for further administrative proceedings. Plaintiff sought \$10,975 in EAJA attorney fees, and the parties later submitted a joint stipulation for \$10,000. The district court granted the fee motion in part and approved the stipulation.

DISPOSITION

other

CASES CITED

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

OPINION

DISTRICT OF MINNESOTA Stacey A.1, Case No. 24-cv-01310 (DJF) Plaintiff, v. ORDER Frank Bisignano, Commissioner of Social Security, Defendant. This matter is before the Court on Plaintiff's Motion for Award of Attorney's Fees Pursuant to the Equal Access to Justice Act 28

U.S.C. § 2412 (“Fee Motion”) (ECF No. 30) and the parties’ Joint Stipulation for EAJA Fees (“Stipulation”) (ECF No. 34).

Plaintiff’s Fee Motion follows a remand of this action to the Commissioner for further administrative proceedings (see ECF No. 23). Plaintiff Fee Motion seeks \$10,975.00 in attorney fees (ECF No. 30), but the parties later stipulated to an award of \$10,000 in attorney fees (ECF No. 34). Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A) (“EAJA”), and based on its review of the record, the Court GRANTS the Fee Motion (ECF No. 30) IN PART and APPROVES the Stipulation (ECF No. 34).

The Government shall pay Plaintiff \$10,000.00 in attorney fees. In accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010), the EAJA fees may be subject to offset to satisfy any preexisting debt Plaintiff may owe the United States. If, after receiving the Court’s EAJA fee order, the Commissioner: (1) determines Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program; and (2) agrees to waive the requirements 1 This District has adopted a policy of using only the first name and last initial of any Paul McGrath.

However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset will be paid by check made out to Plaintiff. Any checks issued for payment (regardless of whether the check is made out to Plaintiff or to Plaintiff’s attorney), shall be delivered to Plaintiff’s attorney at Paul McGrath, 2579 Hamline Ave. N., Suite C, Roseville, MN 55113.

SO ORDERED. Dated: December 8, 2025 s/ Dulce J. Foster DULCE J. FOSTER United States Magistrate Judge