

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.

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

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