

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Angel C. v. Frank Bisignano

Angel C. · No. 3:25-cv-01797-KSC · Decided January 29, 2026

SUMMARY

The United States District Court for the Southern District of California granted the parties’ joint motion for an award of attorney’s fees under the Equal Access to Justice Act. The court awarded the plaintiff \$5,000 in attorney’s fees and \$405 in costs, subject to the Treasury Offset Program and applicable provisions governing payment to counsel. The order was entered without prejudice to a subsequent request for attorney’s fees under 42 U.S.C. § 406(b).

OPINION

Cabrera

PER CURIAM.

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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

10 11 ANGEL C., Case No. 3:25-cv-01797-KSC 12 Plaintiff,

13 ORDER GRANTING JOINT MOTION

vs. FOR AWARD OF ATTORNEY FEES

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PURSUANT TO THE EQUAL ACCESS

15 FRANK BISIGNANO,1 TO JUSTICE ACT

Acting Commissioner of Social Security, 16

[DOC. NO. 15]

17 Defendant. 18

19 The parties have filed a Joint Motion for Award of Attorney Fees Pursuant to 20 the Equal
Access to Justice Act (“Joint Motion”). Dkt. No. 15. The Joint Motion is 21 GRANTED and
plaintiff is awarded \$5,000.00 in attorney’s fees and \$405.00 in 22 costs. 23 24 1 Frank Bisignano
became the Commissioner of Social Security in May 2025. 25 Pursuant to Rule 25(d) of the
Federal Rules of Civil Procedure, Frank Bisignano 26 should be substituted for Leland Dudek as
the defendant in this suit. No further action need be taken to continue this suit by reason of the last
sentence of section 27 205(g) of the Social Security Act, 42 U.S.C. § 405(g). 1 Under Astrue v.
Ratliff, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees belong 2 || to plaintiff and are subject to offset

under the Treasury Offset Program, 31 U.S.C. § 3716(c)(3)(B). If, after receiving the Court's EAJA fee Order, the Commissioner determines plaintiff has assigned the right to EAJA fees to counsel and plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, then EAJA fees may be made payable to plaintiff's counsel, Martha Yancey, by either electronic funds transfer or check. If plaintiff owes a debt under the Treasury Offset Program, any remaining EAJA fees after offset will be made by check payable to Plaintiff. Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims that Plaintiff and/or Martha Yancey, including her firm, Yancey Law, PC, may have relating to EAJA attorney fees in connection with this action. This award is without prejudice to the rights of Martha Yancey or Yancey Law, PC to seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA. IT IS SO ORDERED. Dated: January 29, 2026 AA i Wi. TM)

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Hori. Karen S. Crawford United States Magistrate Judge ORDER
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