

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).

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Karen S. Crawford
JURISDICTION	United States District Court for the Southern District of California
DECIDED	January 29, 2026
DOCKET	3:25-cv-01797-KSC
DISPOSITION	other
PROCEDURAL POSTURE	The parties filed a joint motion for an award of attorney fees under the Equal Access to Justice Act in a Social Security action.
PRECEDENTIAL VALUE	Unknown; district court order
PARTIES	Angel C. v. Frank Bisignano, Acting Commissioner of Social Security

TOPICS

attorney fees costs administrative procedure act civil procedure

PRACTICE AREAS

Social Security administrative law attorney fees civil procedure

QUESTIONS PRESENTED

- Whether the parties' joint motion for an award of attorney fees and costs under the Equal Access to Justice Act should be granted.

2. How the EAJA award should be paid in light of plaintiff's potential assignment of fees to counsel and possible offset under the Treasury Offset Program.

HOLDINGS

1. The joint motion was granted, and plaintiff was awarded \$5,000.00 in attorney fees and \$405.00 in costs.
2. EAJA fees belong to plaintiff and are subject to offset under the Treasury Offset Program; if plaintiff has assigned the fees to counsel and owes no qualifying debt, payment may be made to plaintiff's counsel, but any remaining amount after an offset must be paid to plaintiff.
3. Frank Bisignano should be substituted for Leland Dudek as defendant pursuant to Federal Rule of Civil Procedure 25(d), and no further action was required to continue the suit.

KEY QUOTATIONS

“The Joint Motion is GRANTED and plaintiff is awarded \$5,000.00 in attorney’s fees and \$405.00 in costs.”
(Order at 1)

“Under Astrue v. Ratliff, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees belong to plaintiff and are subject to offset under the Treasury Offset Program” (Order at 1)

FACTUAL BACKGROUND

The parties agreed to an award of attorney fees and costs under the Equal Access to Justice Act in connection with plaintiff's Social Security action. The court awarded \$5,000 in attorney fees and \$405 in costs. The order addressed payment to plaintiff or plaintiff's counsel depending on assignment of the fees and whether plaintiff owed a debt subject to the Treasury Offset Program.

PROCEDURAL HISTORY

After the parties filed a joint motion seeking EAJA attorney fees, the district court granted the motion and awarded plaintiff \$5,000 in attorney fees and \$405 in costs. The order also directed substitution of Frank Bisignano for Leland Dudek under Federal Rule of Civil Procedure 25(d).

DISPOSITION

other

CASES CITED

- Astrue v. Ratliff, 130 S. Ct. 2521, 2528-29 (2010)