

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Brad Christopher Oliver v. Commissioner of Social Security

Oliver · No. 2:25-cv-01866-AC · Decided December 23, 2025

SUMMARY

This document is a stipulation and proposed order in a Social Security action in the U.S. District Court for the Eastern District of California. The parties agreed to an award of \$10,000 in attorney fees and expenses under the Equal Access to Justice Act, with no costs under 28 U.S.C. § 1920. The proposed order approving the award was entered or dated December 23, 2025.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
DECIDED	December 23, 2025
DOCKET	2:25-cv-01866-AC
DISPOSITION	other
PROCEDURAL POSTURE	The parties stipulated to an award of attorney fees and expenses under the Equal Access to Justice Act in connection with the civil action.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

attorney fees costs administrative law remedies

PRACTICE AREAS

Social Security administrative law attorney fees

QUESTIONS PRESENTED

- Whether the court should approve the parties' stipulated award of \$10,000.00 in attorney fees and expenses under the Equal Access to Justice Act.
- Whether costs should be awarded under 28 U.S.C. § 1920.

KEY QUOTATIONS

“IT IS ORDERED that fees and expenses in the amount of \$10,000.00 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.” (-3-)

FACTUAL BACKGROUND

The parties agreed that the plaintiff should receive \$10,000.00 in attorney fees and expenses under the Equal Access to Justice Act. The stipulation provided that payment would be made to the plaintiff, subject to possible Treasury offset, and could be paid directly to plaintiff's counsel if no federal debt was identified. The award was expressly made without prejudice to counsel's potential claim for Social Security Act fees under 42 U.S.C. § 406(b).

PROCEDURAL HISTORY

The plaintiff and the Commissioner stipulated to an EAJA award of \$10,000.00 and no costs under 28 U.S.C. § 1920. The court approved the stipulation and ordered the award subject to its terms.

DISPOSITION

other

CASES CITED

- Astrue v. Ratliff, 560 U.S. 586, 598, 130 S. Ct. 2521, 177 L. Ed. 2d 91 (2010)

OPINION

1 Paul Sachelari, CSBN 230083 Law Offices of Francesco Benavides 2 1990 N. California Blvd.
8th Floor Walnut Creek, CA 94596 3 Tel: (925) 222-7071 Email: paul@sachelarilaw.com 4
Attorney for Plaintiff 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF
CALIFORNIA 8 9 BRAD CHRISTOPHER OLIVER, Case No. 2:25-cv-01866-AC 10 Plaintiff,
STIPULATION FOR THE AWARD AND PAYMENT OF ATTORNEY FEES AND 11 v.
EXPENSES PURSUANT TO THE EQUAL 12 ACCESS TO JUSTICE ACT; [PROPOSED]
COMMISSIONER OF SOCIAL SECURITY, ORDER 13 Defendant.

14 15 IT IS HEREBY STIPULATED by and between the parties through their undersigned
counsel, 16 subject to the approval of the Court, that Plaintiff be awarded attorney fees and
expenses in the amount 17 of \$10,000.00, under the Equal Access to Justice Act (EAJA), 28
U.S.C. § 2412(d), and no costs under 18 19 28 U.S.C. § 1920. This amount represents
compensation for all legal services rendered on behalf of 20 Plaintiff by counsel in connection
with this civil action, in accordance with 28 U.S.C. §§ 2412(d), 21 1920.

22 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the 23
matter of Plaintiff's assignment of EAJA fees to counsel. Pursuant to Astrue v. Ratliff, 560 U.S.
586, 24 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor the assignment will

depend on 25 whether the fees are subject to any offset allowed under the United States Department of the 26 Treasury's Offset Program.

After the order for EAJA fees is entered, the government will determine 27 whether they are subject to any offset. 1 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that 2 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, expenses 3 and costs to be made directly to Plaintiff's counsel, Francesco Benavides, pursuant to the assignment 4 executed by Plaintiff.

5 Payments may be made by electronic funds transfer (EFT) or by check. 6 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney 7 fees and does not constitute an admission of liability on the part of Defendant under the EAJA or 8 otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any 9 and all claims that Plaintiff and/or Francesco Benavides, including the Law Offices of Francesco 10 Benavides, may have relating to EAJA attorney fees in connection with this action.

11 This award is without prejudice to the rights of Francesco Benavides to seek Social Security 12 Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA. 13 Respectfully submitted, 14 Dated: December 22, 2025 Law Offices of Francesco Benavides 15 By: /s/ Paul Sachelari 16 PAUL SACHELARI Attorney for Plaintiff 17 18 Dated: December 22, 2025 ERIC GRANT 19 United States Attorney MATHEW W. PILE 20 Associate General Counsel Social Security Administration 21 22 By: Marcelo Illarmo* MARCELO ILLARMO 23 Special Assistant U.S. Attorney Attorneys for Defendant 24 (*Permission to use electronic signature obtained via email on December 22, 2025).

25 26 27 1 [PROPOSED] ORDER 2 Based upon the parties' Stipulation for the Award and Payment of Equal Access to Justice Act 3 || Fees and Expenses, IT IS ORDERED that fees and expenses in the amount of \$10,000.00 as 4 || authorized by 28 U.S.C. § 2412, and no costs under 28 U.S.C. § 1920, be awarded subject to the terms 5 of the Stipulation. 6 7 8 || DATE: December 23, 2025 ~ 10 ALLISON CLAIRE UNITED STATES MAGISTRATE JUDGE 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 -3-