

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Dylan Joshua Robinson v. Frank Bisignano, Commissioner of Social
Security

Robinson v. Bisignano · No. 1:24-cv-00828-BAM · Decided October 22, 2025

SUMMARY

This document is a stipulation and order awarding Plaintiff Dylan Joshua Robinson \$5,000 in attorney fees and expenses under the Equal Access to Justice Act in a Social Security case. The United States District Court for the Eastern District of California approved the award on October 22, 2025, subject to the terms addressing Treasury Offset Program debts and payment to counsel. The award is without prejudice to any later request for fees under 42 U.S.C. § 406(b).

CASE DETAILS

COURT	United States District Court for the Eastern District of California
DECIDED	October 22, 2025
DOCKET	1:24-cv-00828-BAM
DISPOSITION	other
PROCEDURAL POSTURE	The parties stipulated to an award of attorney fees and expenses under the Equal Access to Justice Act after Plaintiff prevailed in the Social Security action. The district court approved the stipulation and ordered an EAJA award of \$5,000.00, subject to its terms.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Dylan Joshua Robinson v. Frank Bisignano, Commissioner of Social Security

TOPICS

- attorney fees
- costs
- administrative law
- remedies
- civil procedure

PRACTICE AREAS

- Social Security
- administrative law
- attorney fees
- civil procedure

QUESTIONS PRESENTED

1. Whether the court should approve the parties' stipulation for an award of attorney fees and expenses under the Equal Access to Justice Act.
2. Whether the EAJA award should be made to Plaintiff subject to the Treasury Offset Program and the parties' agreed payment conditions.

HOLDINGS

1. The court approved the parties' stipulation and awarded Plaintiff \$5,000.00 in fees and expenses under the Equal Access to Justice Act, subject to the terms of the stipulation.
2. The EAJA fees are awarded to Plaintiff and remain subject to offset under the Treasury Offset Program; payment may be made to Plaintiff's attorney only if the Commissioner determines that the assignment and statutory conditions are satisfied and waives the Anti-Assignment Act requirements.

KEY QUOTATIONS

“IT IS ORDERED that fees and expenses in the amount of FIVE THOUSAND AND 00/100 (\$5,000.00) as authorized by the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), be awarded subject to the terms of the Stipulation.” (at 2)

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

FACTUAL BACKGROUND

Plaintiff was the prevailing party in the underlying Social Security action. The parties agreed that Plaintiff qualified for EAJA fees because his net worth did not exceed \$2,000,000 when the action was filed. They stipulated to \$5,000.00 in attorney fees and expenses and no costs, subject to statutory offset and payment conditions.

PROCEDURAL HISTORY

Plaintiff brought a civil action seeking review of a Social Security decision. After Plaintiff prevailed, the parties submitted a stipulation resolving Plaintiff's request for EAJA fees and expenses. The district court approved the stipulated award on October 22, 2025.

DISPOSITION

other

CASES CITED

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

OPINION

Dylan Joshua Robinson v. Frank Bisignano, Commissioner of Social Security
PER CURIAM.

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9 UNITED STATES DISTRICT COURT

10 FOR THE EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

11 12 Dylan Joshua Robinson, Case No. 1:24-cv-00828-BAM 13 Plaintiff, STIPULATION FOR
THE AWARD

14 AND PAYMENT OF ATTORNEY

v. FEES AND EXPENSES PURSUANT

15 TO THE EQUAL ACCESS TO

16 Frank Bisignano1, COMMISIONER JUSTICE ACT; ORDER

OF SOCIAL SECURITY,

17 18 Defendant. 19 IT IS HEREBY STIPULATED by and between the parties through their 20
undersigned counsel, subject to the approval of the Court, that Plaintiff be awarded 21 attorney
fees and expenses in the amount of FIVE THOUSAND AND 00/100 22 (\$5,000.00) under the
Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and 23 costs in the amount of ZERO
dollars (\$0.00) under 28 U.S.C. §1920. This amount 24 25 1 Frank Bisignano became the
Commissioner of Social Security on May 7, 2025. 26 Pursuant to Rule 25(d) of the Federal Rules
of Civil Procedure, Frank Bisignano should be substituted for Leland Dudek as the defendant in
this suit. No further action need be 27 taken to continue this suit by reason of the last sentence of
section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). 1 represents compensation for all
legal services rendered on behalf of Plaintiff by counsel 2 in connection with this civil action, in
accordance with 28 U.S.C. §§ 1920, 2412(d). 3 Plaintiff was the prevailing party in this matter and
Plaintiff is an individual 4 whose net worth does not exceed \$2,000,000 at the time the civil action
was filed. 5 After the Court issues an order for EAJA fees to Plaintiff, the government will 6
consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. 7 Under Astrue v.
Ratliff, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees awarded by this 8 Court belong to the
Plaintiff and are subject to offset under the Treasury Offset Program 9 (31 U.S.C. § 3716(c)(3)(B)
(2006)). Any EAJA fees should therefore be awarded to 10 Plaintiff and not to Plaintiff's attorney.
If, after receiving the Court's EAJA fee order, 11 the Commissioner (1) determines that Plaintiff
has assigned his right to EAJA fees to 12 his attorney; (2) determines that Plaintiff does not owe a
debt that is subject to offset 13 under the Treasury Offset Program, and (3) agrees to waive the
requirements of the 14 Anti-Assignment Act, then the EAJA fees will be made payable to
Plaintiff's attorney, 15 16 JONATHAN O. PEÑA-MANCINAS at the firm, PEÑA &
BROMBERG, PC. 17 However, if there is a debt owed under the Treasury Offset Program, the
Commissioner 18 cannot agree to waive the requirements of the Anti-Assignment Act, and the
remaining 19 EAJA fees after offset will be paid by a check or electronic fund transfer (EFT)

made out to Plaintiff, but delivered to Plaintiff's attorney, JONATHAN O. PEÑA- MANCINAS at the firm, PEÑA & BROMBERG, PC. This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims that Plaintiff and/or Counsel including Counsel's firm may have relating to EAJA attorney fees in connection with this action. 1 The parties further agree that the EAJA award is without prejudice to the right of 2 Plaintiff's attorney to seek attorney fees pursuant to Social Security Act § 206(b), 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA. See 28 U.S.C. § 4242(c)(1) (2006). 5 Respectfully submitted, 6 7 Dated: October 22, 2025 /s/ Jonathan O. Peña
8 JONATHAN O. PEÑA

Attorney for Plaintiff 9 10 Dated: October 22, 2025 ERIC GRANT 11 Acting United States Attorney

MATHEW W. PILE

12 Head of Program Litigation 1 13 Law & Policy Social Security Administration 14 15 By: *_Noah Schabacker Noah Schabacker 16 Special Assistant U.S. Attorney 17 Attorneys for Defendant (*Permission to use electronic signature 18 obtained via email on October 22, 2025). 19 20 21 22 23 24 25 26 27

ORDER

2 3 Based upon the parties' Stipulation for the Award and Payment of Equal Access 4 || to Justice Act Fees and Expenses (the "Stipulation"), IT IS ORDERED that fees and expenses in the amount of FIVE THOUSAND 7 || AND 00/100 (\$5,000.00) as authorized by the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), be awarded subject to the terms of the Stipulation. 9 10 11

12 || IT IS SO ORDERED. _

13 Dated: _ October 22, 2025 4A :

14 UNITED STATES DISTRICT JUDGE

15 16 17 18 19 20 21 22 23 24 25 26 27 28 -A-