

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jason Timothy Williams v. Kilolo Kijakazi, Acting Commissioner of
Social Security

Williams v. Kijakazi · No. 1:22-cv-01253-HBK · Decided March 10, 2023

SUMMARY

The United States District Court for the Eastern District of California granted the parties’ stipulated motion for an award of attorney fees and expenses under the Equal Access to Justice Act. Following a sentence-four remand in a Social Security case, the court awarded \$5,800.00 to the plaintiff, subject to any applicable Treasury Offset Program offset and the terms of the fee assignment.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 10, 2023
DOCKET	1:22-cv-01253-HBK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for attorney fees and expenses under the Equal Access to Justice Act after the court granted the parties' stipulated motion for a sentence-four remand in a Social Security case.
STANDARD OF REVIEW	The court applied the EAJA standard requiring an award of fees to a prevailing party unless the government's position was substantially justified or special circumstances would make an award unjust.
PRECEDENTIAL VALUE	nonprecedential district court order
PARTIES	Jason Timothy Williams v. Kilolo Kijakazi, Acting Commissioner of Social Security

TOPICS

- attorney fees
- judicial review of agency action
- remedies
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff was a prevailing party entitled to attorney fees and expenses under the Equal Access to Justice Act after obtaining a sentence-four remand under 42 U.S.C. § 405(g).
2. Whether the requested \$5,800 award should be reduced because the government's position was substantially justified or because special circumstances would make an award unjust.
3. Whether payment of the EAJA award was subject to offsets under the Treasury Offset Program and should be made to Plaintiff's counsel pursuant to the assignment of fees.

HOLDINGS

1. A party who obtains a sentence-four remand under 42 U.S.C. § 405(g) is a prevailing party eligible to seek attorney fees under the EAJA.
2. The court shall award EAJA fees to a prevailing party when the government has not shown that its position was substantially justified and no special circumstances make the award unjust.
3. The stipulated motion was granted, and the Commissioner was directed to pay Plaintiff \$5,800 in EAJA attorney fees and expenses.
4. EAJA fees, expenses, and costs are subject to any allowable Treasury Offset Program offset; absent a federal debt, payment was to be made to Plaintiff's counsel in accordance with the assignment of fees.

KEY QUOTATIONS

“Under the Act, a court shall award attorney fees to the prevailing party unless it finds the government’s position was “substantially justified or that special circumstances make such an award unjust.”” (2)

“The Commissioner is directed to pay to Plaintiff as the prevailing party EAJA fees in the amount of \$5,800.00 in attorney fees and expenses.” (2)

FACTUAL BACKGROUND

Plaintiff obtained a sentence-four remand to the Commissioner for further administrative proceedings in his Social Security case. Plaintiff's attorney sought \$5,800 in attorney fees and expenses under the Equal Access to Justice Act. The Commissioner did not oppose the stipulated request, and the court found no substantial justification or special circumstances defeating the award.

PROCEDURAL HISTORY

On February 14, 2023, the court granted the parties' stipulated motion to remand under sentence four of 42 U.S.C. § 405(g), and judgment was entered the same day. Plaintiff then filed a stipulated motion for \$5,800 in attorney fees and expenses under the EAJA. The Commissioner did not oppose the requested award, and the court granted the motion.

DISPOSITION

other

CASES CITED

- Shalala v. Schaefer, 509 U.S. 292, 300-02 (1993)
- Astrue v. Ratliff, 532 U.S. 1192 (2010)

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