

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION (DAYTON)

Jeffrey K. v. Commissioner of Social Security

Case No. 3:24-cv-00124 · No. 3:24-cv-00124 · Decided December 2, 2025

SUMMARY

The United States District Court for the Southern District of Ohio approved the parties’ joint stipulation awarding Plaintiff \$6,560.00 in attorney fees and no costs under the Equal Access to Justice Act. The order provides that the award may be offset against qualifying federal debt and may be paid directly to Plaintiff’s counsel if no such debt exists, and it leaves the case terminated.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division (Dayton)
WRITING FOR THE COURT	Caroline H. Gentry
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division (Dayton)
DECIDED	December 2, 2025
DOCKET	3:24-cv-00124
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly stipulated to an award of attorney fees and costs under the Equal Access to Justice Act after the Social Security case was terminated.
PRECEDENTIAL VALUE	unpublished and nonprecedential
PARTIES	Jeffrey K. v. Commissioner of Social Security

TOPICS

- attorney fees
- costs
- administrative law
- civil procedure

PRACTICE AREAS

- Social Security
- administrative law
- attorney fees

QUESTIONS PRESENTED

1. Whether the Court should accept the parties' joint stipulation and award Plaintiff \$6,560.00 in attorney fees and \$0.00 in costs under the Equal Access to Justice Act.
2. Whether payment of the EAJA award should be subject to verification of any pre-existing debt owed by Plaintiff to the United States and, if none exists, made directly to Plaintiff's counsel pursuant to the assignment.

HOLDINGS

1. The Court accepted the parties' joint stipulation and ordered Defendant to pay Plaintiff \$6,560.00 in attorney fees and \$0.00 in costs, for a total award of \$6,560.00.
2. Counsel must verify within thirty days whether Plaintiff owes a pre-existing debt to the United States subject to offset; if no such debt exists, Defendant must pay the EAJA award directly to Plaintiff's counsel pursuant to the signed assignment.

KEY QUOTATIONS

“the parties’ Joint Stipulation for an Award of Attorney’s Fees Under the EAJA (Doc. No. 14) is accepted and Defendant shall pay Plaintiff’s attorney fees of \$6,560.00, and \$0.00 in costs, for a total award of \$6,560.00;” (Order ¶ 1)

“Counsel for the parties shall verify, within thirty days of this Decision and Entry, whether Plaintiff owes a pre-existing debt to the United States subject to offset.” (Order ¶ 2)

FACTUAL BACKGROUND

This was a Social Security case in which Plaintiff sought an award under the Equal Access to Justice Act. The parties agreed that Plaintiff should receive \$6,560.00 in attorney fees and no costs, subject to potential offset for any pre-existing debt owed to the United States.

PROCEDURAL HISTORY

The Court considered the parties' Joint Stipulation for an Award of Attorney's Fees Under the EAJA. The Court accepted the stipulation, awarded Plaintiff \$6,560.00 in attorney fees and \$0.00 in costs, imposed a verification requirement concerning any pre-existing federal debt, and left the case terminated on the docket.

DISPOSITION

other

CASES CITED

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

OPINION

Koogler

PER CURIAM.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)

JEFFREY K., : Case No. 3:24-cv-00124 Plaintiff, : Magistrate Judge Caroline H. Gentry : (by full consent of the parties) vs. : COMMISSIONER OF SOCIAL : SECURITY, : Defendant. :

DECISION AND ENTRY

This case is before the Court on the parties' Joint Stipulation for an Award of Attorney's Fees Under the Equal Access to Justice Act (EAJA) (Doc. No. 14). Specifically, the parties stipulate to an award to Plaintiff of attorney fees in the amount of \$6,560.00, and \$0.00 in costs, in full satisfaction and settlement of any and all claims Plaintiff may have under the EAJA in the above case. The award of attorney fees will satisfy all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412 in this case. Any fees paid belong to Plaintiff, not his attorney, and can be offset to satisfy pre-existing debt that Plaintiff owes the United States under *Astrue v. Ratliff*, 560 U.S. 586 (2010). Plaintiff and Defendant move that the Court award Plaintiff EAJA of \$6,560.00, and \$0.00 in costs, for a total award of \$6,560.00. After the Court enters this award, if counsel for the parties can verify that Plaintiff owes no pre-existing debt subject to offset, Defendant agrees to direct that the award be made payable to Plaintiff's attorney pursuant to the EAJA assignment duly signed by Plaintiff and counsel. IT IS THEREFORE ORDERED THAT:

1. The parties' Joint Stipulation for an Award of Attorney's Fees

Under the EAJA (Doc. No. 14) is accepted and Defendant shall pay Plaintiff's attorney fees of \$6,560.00, and \$0.00 in costs, for a total award of \$6,560.00;

2. Counsel for the parties shall verify, within thirty days of this

Decision and Entry, whether Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel pursuant to the EAJA assignment signed by Plaintiff and counsel; and

3. The case remains terminated on the docket of this Court.

IT IS SO ORDERED. s/ Caroline H. Gentry Caroline H. Gentry United States Magistrate Judge