

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Elizabeth M. v. Frank Bisignano, Commissioner of Social Security

Elizabeth M. · No. 25-cv-2550 (DJF) · Decided March 11, 2026

SUMMARY

The United States District Court for the District of Minnesota reviews the denial of Plaintiff Elizabeth M.'s application for disability insurance benefits under 42 U.S.C. § 405(g). The court examines alleged conflicts between vocational-expert testimony and the Dictionary of Occupational Titles concerning the occupations of document preparer, appointment clerk, and sorter. It affirms the findings concerning the document preparer and sorter positions, rejects the finding concerning the appointment clerk position, and, according to the order's introductory disposition, affirms the ALJ's final determination that Plaintiff is not disabled.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Dulce J. Foster
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	March 11, 2026
DOCKET	25-cv-2550 (DJF)
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying disability insurance benefits. She challenged the administrative law judge's reliance on vocational-expert testimony at step five of the sequential disability analysis.
STANDARD OF REVIEW	The court reviewed whether the Commissioner's decision was supported by substantial evidence on the record as a whole and whether the ALJ adequately explained and resolved material inconsistencies or ambiguities in the evidence.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Elizabeth M. v. Frank Bisignano, Commissioner of Social Security

TOPICS

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PRACTICE AREAS

Social Security disability

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QUESTIONS PRESENTED

1. Whether the ALJ properly resolved the conflict between the vocational expert's testimony and the Dictionary of Occupational Titles concerning the document-preparer occupation.
2. Whether the ALJ properly relied on vocational-expert testimony that Plaintiff could perform the sorter occupation despite the DOT's semi-skilled classification.
3. Whether the ALJ erred in relying on the appointment-clerk occupation despite an apparent conflict between its frequent interaction requirements and Plaintiff's RFC limitation to occasional interaction.
4. Whether the remaining sorter and document-preparer jobs existed in significant numbers in the national economy to support the finding that Plaintiff was not disabled.

HOLDINGS

1. The ALJ reasonably resolved the conflict between the vocational expert's testimony and the DOT regarding the current technology used by document preparers and did not err in relying on that occupation.
2. The ALJ reasonably relied on the vocational expert's testimony that the sorter occupation could be learned in less than 30 days and therefore could be performed without transferable skills.
3. The ALJ erred in relying on the appointment-clerk occupation because its frequent interaction requirements conflicted with Plaintiff's RFC limitation to occasional interaction, and the ALJ failed to resolve the apparent conflict.
4. The 55,000 sorter and document-preparer jobs identified in the national economy constituted a significant number of jobs sufficient to support the finding that Plaintiff was not disabled.

KEY QUOTATIONS

“Substantial evidence ... is more than a mere scintilla.” (Discussion I)

“If, after reviewing the record, the court finds it is possible to draw two inconsistent positions from the evidence and one of those positions represents the [ALJ’s] findings, the court must affirm the [ALJ’s] decision.” (Discussion I)

“That Plaintiff might be able to perform whatever appointment clerk jobs may exist at the very lowest end of the range does not afford confidence, based on Ms. Nelligan’s estimate, that there are 140,000 such jobs in the national economy that Plaintiff can perform.” (Discussion II.B)

FACTUAL BACKGROUND

Plaintiff applied for disability insurance benefits alleging disability beginning January 5, 2022, based on chronic pain, possible multiple sclerosis, bipolar disorder, depression, and other conditions. The ALJ found severe physical and mental impairments and limited Plaintiff to sedentary work with specified postural, environmental,

and social restrictions, including only occasional interaction with supervisors, coworkers, and the public. Although the ALJ found Plaintiff unable to perform her past relevant work, he relied on vocational-expert testimony identifying sorter, document preparer, and appointment clerk jobs. The district court rejected reliance on the appointment-clerk job because of an unresolved conflict concerning frequent interaction but found that the sorter and document-preparer jobs provided 55,000 available jobs, a significant number.

PROCEDURAL HISTORY

The Commissioner denied Plaintiff's application initially and on reconsideration. After a hearing, the ALJ found Plaintiff not disabled because she could not perform her past relevant work but could perform other jobs existing in significant numbers in the national economy. The Appeals Council denied review. On judicial review, the district court affirmed the decision in part, denied Plaintiff's request for relief, granted the Commissioner's request for relief, and dismissed the action with prejudice.

DISPOSITION

affirmed

CASES CITED

- Young v. Apfel, 221 F.3d 1065, 1069 n.5 (8th Cir. 2000)
- Bowen v. Yuckert, 482 U.S. 137, 146 n.5 (1987)
- McKinney v. Apfel, 228 F.3d 860, 863 (8th Cir. 2000)
- Biestek v. Berryhill, 587 U.S. 97, 103 (2019)
- Consol. Edison Co. v. NLRB, 305 U.S. 197, 229 (1938)
- Perks v. Astrue, 687 F.3d 1086, 1091 (8th Cir. 2012)
- Scott ex rel. Scott v. Astrue, 529 F.3d 818, 822 (8th Cir. 2008)
- Chunn v. Barnhart, 397 F.3d 667, 672 (8th Cir. 2005)
- Lee R. v. Kijakazi, 2022 WL 673259, at *4 (D. Minn. Mar. 7, 2022)
- Weber v. Colvin, 2017 WL 477099, at *26 (D. Minn. Jan. 26, 2019)
- Moore v. Colvin, 769 F.3d 987, 989-90 (8th Cir. 2014)
- Page v. Astrue, 484 F.3d 1040, 1045 (8th Cir. 2007)
- Smith v. Shalala, 46 F.3d 45 (8th Cir. 1995)
- Hamilton v. Comm'r of Soc. Sec. Admin., 464 F. App'x 681, 682 (9th Cir. 2012)
- Shari B. v. Kijakazi, 2023 WL 6130679, at *7-9 (D. Minn. Sept. 19, 2023)
- Tanya S. v. O'Malley, 2024 WL 3858155, at *12 (D. Minn. Aug. 19, 2024)
- Nicolas C. J. v. Kijakazi, 2022 WL 1109810, at *25 (D. Minn. Jan. 20, 2022)

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