

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Leviev v. Bisignano

Leviev · No. 5:25-cv-02954-BLF · Decided August 21, 2025

SUMMARY

The United States District Court for the Northern District of California denied Asia Leviev’s motion for summary judgment and affirmed the Commissioner of Social Security’s denial of her application for disability insurance benefits. The court held that the administrative law judge properly evaluated the medical opinion evidence, discounted Leviev’s subjective symptom testimony for clear and convincing reasons, and relied on vocational-expert testimony based on a supported residual functional capacity finding.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Beth Labson Freeman
JURISDICTION	United States District Court for the Northern District of California
DECIDED	August 21, 2025
DOCKET	5:25-cv-02954-BLF
DISPOSITION	affirmed
PROCEDURAL POSTURE	Judicial review of the Commissioner's final decision denying Title II disability insurance benefits; plaintiff moved for summary judgment.
STANDARD OF REVIEW	The court reviews the Commissioner's decision under 42 U.S.C. § 405(g) for legal error and substantial evidence, considering the entire record as a whole. The court may not substitute its judgment for the Commissioner's when the evidence is susceptible to more than one rational interpretation, and harmless legal error does not require reversal.
PRECEDENTIAL VALUE	Unknown
PARTIES	Asia Leviev v. Frank Bisignano, Commissioner of Social Security

TOPICS

- judicial review of agency action
- administrative law
- ada / disability

PRACTICE AREAS

Social Security

administrative law

disability benefits

QUESTIONS PRESENTED

1. Whether the ALJ properly evaluated Dr. Levin's medical opinions under the supportability and consistency factors.
2. Whether the ALJ provided legally sufficient reasons for discounting Leviev's subjective symptom testimony.
3. Whether the ALJ improperly relied on vocational-expert testimony based on an incomplete hypothetical question.

HOLDINGS

1. The ALJ properly found Dr. Levin's medical opinions unpersuasive because the opinions concerning functional limitations lacked adequate supporting explanations and were inconsistent with the treatment record. A statement that a claimant is unable to work is not inherently valuable or persuasive and need not be analyzed as a medical opinion, but functional limitations must be evaluated under the applicable regulations.
2. The ALJ provided specific, clear, and convincing reasons supported by substantial evidence for discounting Leviev's testimony concerning the intensity, persistence, and limiting effects of her symptoms.
3. The ALJ did not err by relying on vocational-expert testimony because the hypothetical question was based on a residual functional capacity determination that the court upheld.

KEY QUOTATIONS

"This court may set aside the Commissioner's denial of disability insurance benefits when the ALJ's findings are based on legal error or are not supported by substantial evidence in the record as a whole." (Opinion at 4)

"the claimant's symptom testimony must be credited." (Opinion at 8)

"Such evidence of medical treatment successfully relieving symptoms can undermine a claim of disability" (Opinion at 9)

FACTUAL BACKGROUND

Leviev, a former registered nurse, alleged disability beginning March 1, 2021, based on pseudotumor cerebri or idiopathic intracranial hypertension, chronic pain, foot conditions, and common variable immunodeficiency. The ALJ found several severe impairments but determined that they did not meet or equal a listed impairment and that Leviev retained the residual functional capacity for light work with restrictions. Based on vocational-expert testimony, the ALJ found that Leviev could perform her past relevant work as a registered nurse. The district court relied on treatment records showing improvement or control of symptoms, including pain, headaches, vision, and pseudotumor cerebri, as well as Leviev's daily activities.

PROCEDURAL HISTORY

Leviev's application for disability insurance benefits was denied initially and on reconsideration. After a February 6, 2024 telephone hearing, the ALJ denied benefits on March 13, 2024. The Appeals Council denied review on March 4, 2025, making the ALJ's decision the final decision of the Commissioner. The district court denied Leviev's motion for summary judgment and affirmed the denial of benefits.

DISPOSITION

affirmed

CASES CITED

- Tackett v. Apfel, 180 F.3d 1094, 1097 (9th Cir. 1999)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Saelee v. Chater, 94 F.3d 520, 522 (9th Cir. 1996)
- Robbins v. Social Security Administration, 466 F.3d 880, 882 (9th Cir. 2006)
- Morgan v. Commissioner, 169 F.3d 595, 599 (9th Cir. 1999)
- Andrews v. Shalala, 53 F.3d 1035, 1039 (9th Cir. 1995)
- McNatt v. Apfel, 201 F.3d 1084, 1087 (9th Cir. 2000)
- Brown-Hunter v. Colvin, 806 F.3d 487, 492 (9th Cir. 2015)
- Deckard v. Saul, 2020 WL 1157026, at *2 (N.D. Cal. Mar. 10, 2020)
- Burch v. Barnhart, 400 F.3d 676, 679-81 (9th Cir. 2005)
- Flaten v. Secretary of Health & Human Services, 44 F.3d 1453, 1460 (9th Cir. 1995)
- Ghanim v. Colvin, 763 F.3d 1154, 1160 & n.5 (9th Cir. 2014)
- Bray v. Commissioner of Social Security Administration, 554 F.3d 1219, 1222 (9th Cir. 2009)
- Woods v. Kijakazi, 32 F.4th 785, 787, 791-92 (9th Cir. 2022)
- Bunnell v. Sullivan, 947 F.2d 341, 345 (9th Cir. 1991) (en banc)
- Thomas v. Barnhart, 278 F.3d 947, 958 (9th Cir. 2002)
- Dixon v. Saul, 411 F. Supp. 3d 837, 854 (N.D. Cal. 2019)
- Wellington v. Berryhill, 878 F.3d 867, 876 (9th Cir. 2017)
- Smartt v. Kijakazi, 53 F.4th 489, 500 (9th Cir. 2022)
- Rollins v. Massanari, 261 F.3d 853, 857 (9th Cir. 2001)
- Orn v. Astrue, 495 F.3d 625, 636 (9th Cir. 2007)
- Stubbs-Danielson v. Astrue, 539 F.3d 1169, 1175-76 (9th Cir. 2008)