

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Ruben A. v. SSA Commissioner

Ruben A. · No. 24-cv-07137-TSH · Decided October 10, 2025

SUMMARY

The United States District Court for the Northern District of California denies Plaintiff Ruben A.’s motion for summary judgment and grants the Commissioner of Social Security’s cross-motion. The court holds that Plaintiff did not meet or medically equal Listing 3.02 for chronic respiratory disorders and addresses his challenges to the residual functional capacity assessment, medical-source opinion evaluation, and treatment of his subjective respiratory-symptom testimony.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Thomas S. Hixson
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 10, 2025
DOCKET	24-cv-07137-TSH
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner of Social Security's denial of disability insurance benefits and supplemental security income. The parties filed cross-motions for summary judgment, and the matter was submitted without oral argument.
STANDARD OF REVIEW	The court reviews the Commissioner's decision under 42 U.S.C. § 405(g) and may disturb it only if it is unsupported by substantial evidence or based on improper legal standards. The court must consider the entire administrative record, defer to the ALJ when the evidence reasonably supports either outcome, and uphold an otherwise supported decision despite harmless error.
PRECEDENTIAL VALUE	unpublished district-court opinion
PARTIES	Ruben A. v. SSA Commissioner

TOPICS

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PRACTICE AREAS

Social Security disability

administrative law

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QUESTIONS PRESENTED

1. Whether the ALJ properly determined that Plaintiff's respiratory impairment did not meet or medically equal Listing 3.02.
2. Whether the ALJ properly evaluated Plaintiff's subjective allegations of respiratory dysfunction.
3. Whether the ALJ's residual functional capacity assessment adequately accounted for Plaintiff's cognitive dysfunction and extreme obesity.
4. Whether the ALJ properly evaluated the persuasiveness of treating pulmonologist Peter Kao's medical opinion.

HOLDINGS

1. The ALJ did not err in determining that Plaintiff's respiratory impairment did not meet Listing 3.02A because each of the identified FEV1 measurements exceeded the applicable listing threshold.
2. Plaintiff failed to establish that obesity combined with pulmonary dysfunction medically equaled Listing 3.02.
3. The ALJ provided legally sufficient clear and convincing reasons for finding that Plaintiff's allegations concerning the intensity, persistence, and limiting effects of his respiratory symptoms were not entirely consistent with the record.
4. The ALJ properly formulated the RFC because the record supported limitations to simple work with limited changes, no production-paced work, and specified exertional, postural, environmental, and hazard restrictions, while the regulations did not require every impairment to be translated into an additional RFC limitation.
5. The ALJ properly found Dr. Kao's opinion not persuasive because it was inadequately supported and inconsistent with other evidence, including Plaintiff's pulmonary testing, reported use of his breathing device, part-time work, physical examinations, activities, and the limited treatment relationship described in the record.

KEY QUOTATIONS

"The Commissioner's decision will be disturbed only if it is not supported by substantial evidence or if it is based on the application of improper legal standards." (at 3)

"A claimant must 'present medical findings equal in severity to all the criteria for the one most similar listed impairment' to establish equivalency." (at 18)

“The ‘ALJ cannot reject an examining or treating doctor’s opinion as unsupported or inconsistent without providing an explanation supported by substantial evidence.’” (at 49)

FACTUAL BACKGROUND

Plaintiff alleged disability based principally on respiratory dysfunction, obesity, cognitive limitations, and related impairments. He had severe obesity, obstructive airway disease, obstructive sleep apnea, diaphragm weakness, and progressively declining pulmonary-function measurements, but his FEV1 measurements remained above the technical threshold for Listing 3.02A. His treating pulmonologist, Dr. Peter Kao, opined that Plaintiff was unable to work and had extensive exertional and other limitations. The ALJ nevertheless found that Plaintiff could perform a restricted range of simple light work, and the district court upheld that determination based on the administrative record, treatment gaps, examination findings, daily activities, part-time work, and the ALJ's evaluation of the medical opinions.

PROCEDURAL HISTORY

Plaintiff filed applications for disability insurance benefits and supplemental security income in September 2021, alleging disability beginning May 6, 2020. After denial at the initial and reconsideration levels, an ALJ held a hearing on October 24, 2023 and issued an unfavorable decision on December 5, 2023. The Appeals Council denied review on August 13, 2024. The district court denied Plaintiff's motion for summary judgment and granted the Commissioner's cross-motion.

DISPOSITION

affirmed

CASES CITED

- Brown-Hunter v. Colvin, 806 F.3d 487, 492 (9th Cir. 2015)
- Biestek v. Berryhill, 587 U.S. 97, 102-03 (2019)
- Garrison v. Colvin, 759 F.3d 995, 1009-10 (9th Cir. 2014)
- Hill v. Astrue, 698 F.3d 1153, 1159 (9th Cir. 2012)
- Ford v. Saul, 950 F.3d 1141, 1148-49, 1156 (9th Cir. 2020)
- Sullivan v. Zebley, 493 U.S. 521, 530-32 (1990)
- Lounsbury v. Barnhart, 468 F.3d 1111, 1114-15 (9th Cir. 2006)
- Tackett v. Apfel, 180 F.3d 1094, 1098-99, 1101 (9th Cir. 1999)
- Young v. Sullivan, 911 F.2d 180, 183 (9th Cir. 1990)
- Kennedy v. Colvin, 738 F.3d 1172, 1175-76 (9th Cir. 2013)
- Vasquez v. Astrue, 572 F.3d 586, 591 (9th Cir. 2009)
- Leon v. Berryhill, 880 F.3d 1041, 1046 (9th Cir. 2017)
- Diedrich v. Berryhill, 874 F.3d 634, 638 (9th Cir. 2017)
- Trevizo v. Berryhill, 871 F.3d 664, 678 (9th Cir. 2017)

- *Lingenfelter v. Astrue*, 504 F.3d 1028, 1035-36 (9th Cir. 2007)
- *Berry v. Astrue*, 622 F.3d 1228, 1234 (9th Cir. 2010)
- *Smith v. Kijakazi*, 14 F.4th 1108, 1113 (9th Cir. 2021)
- *Lambert v. Saul*, 980 F.3d 1266, 1268 (9th Cir. 2020)
- *Molina v. Astrue*, 674 F.3d 1104, 1112-13 (9th Cir. 2012)
- *Rounds v. Commissioner of Social Security Administration*, 807 F.3d 996, 1006 (9th Cir. 2015)
- *Smartt v. Kijakazi*, 53 F.4th 489, 498-99 (9th Cir. 2022)
- *Burch v. Barnhart*, 400 F.3d 676, 679, 681, 684 (9th Cir. 2005)
- *Tommasetti v. Astrue*, 533 F.3d 1035, 1039 (9th Cir. 2008)
- *Batson v. Commissioner of Social Security Administration*, 359 F.3d 1190, 1193 (9th Cir. 2004)
- *Ghanim v. Colvin*, 763 F.3d 1154, 1166 (9th Cir. 2014)
- *Valentine v. Commissioner of Social Security Administration*, 574 F.3d 685, 689-90 (9th Cir. 2009)
- *Mayes v. Massanari*, 276 F.3d 453, 460 (9th Cir. 2001)
- *Woods v. Kijakazi*, 32 F.4th 785, 787, 791-92 (9th Cir. 2022)
- *Thomas v. Barnhart*, 278 F.3d 947, 955 (9th Cir. 2002)
- *Massanari*, 249 F.3d 840, 846 (9th Cir. 2001)
- *Sheryl P. v. Saul*, 2020 WL 6892880, at *2 (C.D. Cal. Nov. 24, 2020)
- 2021 WL 1587903, at *15 (D. Alaska Apr. 22, 2021)
- *L.R.M. v. O'Malley*, 2024 WL 4133813, at *11 (N.D. Cal. Sept. 9, 2024)
- *Rania v. Kijakazi*, 2021 WL 5771663, at *3 (E.D. Cal. Dec. 6, 2021), report and recommendation approved, 2022 WL 95228 (E.D. Cal. Jan. 10, 2022)
- *Medlock v. Colvin*, 2016 WL 6137399, at *5 (C.D. Cal. Oct. 20, 2016)
- *Pierce v. Berryhill*, 2017 WL 2402829, at *3 (C.D. Cal. May 31, 2017)
- *Eduardo Corona M. v. Berryhill*, 2019 WL 718111, at *3 (C.D. Cal. Feb. 19, 2019)
- *Cracolici v. O'Malley*, 2024 WL 3873980, at *7 (N.D. Cal. Aug. 16, 2024)
- *Gomez-Perez v. Berryhill*, 2017 WL 810275, at *2 (C.D. Cal. Feb. 28, 2017)
- *Bowen v. Kijakazi*, 2022 WL 2610242, at *1 (9th Cir. July 8, 2022)
- *Nadon v. Bisignano*, 145 F.4th 1133, 1136-37 (9th Cir. 2025)