

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Janna Lee Cassidy v. Frank J. Bisignano, Commissioner of Social
Security

Cassidy · No. 1:24-cv-00922-HBK · Decided December 31, 2025

SUMMARY

The United States District Court for the Eastern District of California granted the parties’ stipulated motion for attorney’s fees under the Equal Access to Justice Act. The court awarded \$6,500 in fees and expenses to the plaintiff following a sentence-four remand in a Social Security case, subject to any applicable Treasury Offset Program deductions.

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	December 31, 2025
DOCKET	1:24-cv-00922-HBK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for an award of attorney fees and expenses under the Equal Access to Justice Act after obtaining a sentence-four remand of the Commissioner's decision. The parties stipulated to an award of \$6,500.
STANDARD OF REVIEW	The court determined whether the statutory prerequisites for an EAJA award were satisfied, including whether the government's position was substantially justified and whether special circumstances made an award unjust.
PRECEDENTIAL VALUE	unpublished
PARTIES	Janna Lee Cassidy v. Frank J. Bisignano, Commissioner of Social Security

TOPICS

attorney fees

remedies

civil procedure

PRACTICE AREAS

Social Security

administrative law

attorney fees

QUESTIONS PRESENTED

1. Whether Plaintiff was a prevailing party entitled to attorney fees and expenses under the Equal Access to Justice Act after a sentence-four remand.
2. Whether the government established that its position was substantially justified or that special circumstances made an EAJA award unjust.
3. Whether the stipulated amount of \$6,500 in attorney fees and expenses was appropriate and subject to Treasury Offset Program requirements.

HOLDINGS

1. A party who obtains a sentence-four remand under 42 U.S.C. § 405(g) is a prevailing party eligible to seek an EAJA fee award.
2. The EAJA award was appropriate because the government did not show that its position was substantially justified and the court found no special circumstances making the award unjust.
3. The court approved an award of \$6,500 in attorney fees and expenses, payable to Plaintiff as the prevailing party and subject to applicable Treasury Offset Program requirements.

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)

FACTUAL BACKGROUND

The court had previously reversed the Commissioner's Social Security decision and remanded the matter for further proceedings. Plaintiff's counsel sought \$6,500 in attorney fees and expenses under the Equal Access to Justice Act. The Commissioner did not oppose the requested award, and the court found that the government's position was not substantially justified and that no special circumstances made an award unjust.

PROCEDURAL HISTORY

On September 30, 2025, the court reversed the Commissioner's decision and remanded the case to the Commissioner for further proceedings under sentence four of 42 U.S.C. § 405(g), and judgment was entered the same day. Plaintiff then sought EAJA fees as the prevailing party. The Commissioner did not oppose the stipulated motion, which the court granted.

DISPOSITION

CASES CITED

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

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 JANNA LEE CASSIDY, Case No. 1:24-cv-00922-HBK2 12 Plaintiff,
ORDER GRANTING AWARD AND PAYMENT OF ATTORNEYS FEES UNDER 13 v. THE
EQUAL ACCESS TO JUSTICE ACT 14 FRANK J. BISIGNANO, (Doc. No. 17)
COMMISSIONER OF SOCIAL 15 SECURITY,1 16 Defendant. 17 18 Pending before the Court
is the parties' stipulated motion for award of attorney's fees 19 filed on December 29, 2025.

(Doc. No. 17). The parties agree to an award of attorney's fees and 20 expenses to Plaintiff's
attorney, Jonathan O. Peña of Peña & Bromberg, PLC, in the amount of 21 \$6500.00 in attorney
fees and expenses, pursuant to the Equal Access to Justice Act ("EAJA"), 28 22 U.S.C. § 2412.
(Id.). 23 On September 30, 2025, this Court reversed the Commissioner's decision and remanded
24 this case back to the Commissioner of Social Security for further proceedings pursuant to 25 1
The Court has substituted Frank J. Bisignano, who has been appointed the Acting Commissioner
of 26 Social Security in May 2025, as the defendant in this suit.

See Fed. R. Civ. P. 25(d). 2 Both parties have consented to the jurisdiction of a magistrate judge in
accordance with 28 U.S.C. 27 §636(c)(1). (Doc. No. 8). 28 1 | sentence four of 42 U.S.C. § 405(g).
(Doc. No. 15). Judgment was entered the same day. (Doc. 2 | No. 16). Plaintiff now requests an
award of fees as the prevailing party. See 28 U.S.C. § 2412(a) 3 | & (d)(1)(A); Fed.

R. Civ. P. 54(d)(1); see 28 U.S.C. § 1920; cf Shalala v. Schaefer, 509 U.S. 4 | 292, 300-02 (1993)
(concluding that a party who wins a sentence-four remand order under 42 5 | U.S.C. § 405(g) is a
prevailing party). The Commissioner does not oppose the requested relief. 6 The EAJA provides
for an award of attorney fees to private litigants who both prevail in 7 | civil actions (other than
tort) against the United States and timely file a petition for fees.

28 8 | U.S.C. § 2412(d)(1)(A). Under the Act, a court shall award attorney fees to the prevailing
party 9 | unless it finds the government's position was "substantially justified or that special
circumstances 10 | make such an award unjust." *Jd.*

Here, the government did not show its position was 11 | substantially justified and the Court finds
there are not special circumstances that would make an 12 | award unjust. The Court finds an
award of \$6,500.00 in attorney fees and expenses is 13 || appropriate. EAJA fees, expenses, and

costs are subject to any offsets allowed under the 14 | Treasury Offset Program (“TOP”), as discussed in *Astrue v. Ratliff*, 532 U.S. 1192 (2010).

If the 15 || Commissioner determines upon effectuation of this Order that Plaintiff's EAJA fees are not 16 || subject to any offset allowed under the TOP, the fees shall be delivered or otherwise transmitted 17 | to Plaintiff's counsel. 18 Accordingly, it is ORDERED: 19 1.

The stipulated motion for attorney fees and expenses (Doc. No. 17) is GRANTED. 20 2. The Commissioner is directed to pay to Plaintiff as the prevailing party EAJA fees in 21 | the amount of \$6,500.00 in attorney fees and expenses. Unless the Department of Treasury 22 || determines that Plaintiff owes a federal debt, the government shall make payment of the EAJA 23 || fees to Plaintiff's counsel, Jonathan O. Pefia of Pefia & Bromberg, PLC, in accordance with 24 | Plaintiffs assignment of fees and subject to the terms of the stipulated motion.

2 Dated: _ December 31, 2025 law ZA. foareh Back 26 HELENA M. BARCH-KUCHTA 4
UNITED STATES MAGISTRATE JUDGE 28