

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Lenore Barton v. Commissioner of Social Security

Barton · No. 25-cv-1420-RMI · Decided June 25, 2025

SUMMARY

This document is a stipulation and order approving an Equal Access to Justice Act attorney-fee award in a Social Security action in the U.S. District Court for the Northern District of California. The court approved an EAJA award of \$2,291, subject to potential offset under the Treasury Offset Program and payable according to the terms of the parties' stipulation.

OPINION

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Harrison St, Suite 120 3 Oakland, California 94612 Phone: (510) 465-0016 4 Fax: (510) 217-3979
kat@siegfriedlegal.com 5 6 UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF
CALIFORNIA 7) CASE NO. 25-cv-1420-RMI 8 LENORE BARTON)) STIPULATION AND
PROPOSED 9 Plaintiff,) ORDER APPROVING SETTLEMENT) OF ATTORNEY FEES
PURSUANT TO 10 vs.) THE EQUAL ACCESS TO JUSTICE) ACT 11 Commissioner Of
Social Security,)) 12 Defendant.)) 13) 15 15 IT IS HEREBY STIPULATED by and between
the parties through their undersigned counsel, 16 subject to the approval of the Court, that Plaintiff
be awarded attorney fees under the Equal Access to 17 Justice Act (EAJA), 28 U.S.C. § 2412(d),
in the amount of TWO THOUSAND AND TWO HUNDRED 18 AND NINETY-ONE
DOLLARS (\$2,291).

This amount represents compensation for all legal services 19 rendered on behalf of Plaintiff by
Plaintiff's counsel, Katherine R. Siegfried (Plaintiff's Attorney), in 20 connection with this civil
action, in accordance with 28 U.S.C. §§ 1920, 2412(d). Plaintiff was the 21 prevailing party in this
matter and their net worth is less than two million dollars.

See, ECF Doc. 2. 22 After the Court issues an order for EAJA fees to the Plaintiff, the government
will consider the matter of 23 the Plaintiff's assignment of EAJA fees to the Plaintiff's Attorney.
Under *Astrue v. Ratliff*, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees awarded by this Court 24
belong to the Plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 25
3716(c)(3)(B) (2006)).

Any EAJA fees should, therefore, be awarded to Plaintiff and not to Plaintiff's 26 attorney. If,
after receiving the Court's EAJA fee order, the Commissioner (1) determines that Plaintiff 27 has
assigned their right to EAJA fees to their attorney; (2) determines that Plaintiff does not owe a

debt 28 STIPULATION 1 25-cv-1420-RMI that is subject to offset under the Treasury Offset Program, and (3) agrees to waive the requirements of 2 the Anti-Assignment Act, then the EAJA fees will be made payable to Plaintiff's attorney.

However, if 3 there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the 4 requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset will be paid by a 5 check or electronic fund transfer (EFT) made out to Plaintiff but delivered to Plaintiff's attorney. 6 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees 7 and expenses.

It does not constitute an admission of liability on the part of Defendant under the EAJA or 8 otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, all claims 9 that Plaintiff and/or Plaintiff's Attorney, including the Law Office of Katherine Siegfried, may have 10 concerning EAJA attorney fees and expenses in connection with this action.

This award is without 11 prejudice to the rights of the Law Office of Katherine Siegfried to seek Social Security Act attorney fees 12 under 42 U.S.C. § 406, subject to the savings provisions of the EAJA. 13 15 15 Date: June 18, 2025 KATHERINE SIEGFRIED Law Office of Katherine Siegfried, Esq. 16 By: /s/Katherine Siegfried Katherine Siegfried 17 Attorney for the Plaintiff 18 Date: June 18, 2025 PATRICK D. ROBBINS 19 Acting United States Attorney 20 21 By: /s/ Erin Highland Erin Highland 22 Special Assistant United States Attorney Attorney for Defendant 23 (As authorized per email) 24 25 26 27 28 STIPULATION 2 25-cv-1420-RMI ORDER 3 || PURSUANT TO STIPULATION, EQUAL ACCESS TO JUSTICE (EAJA) ATTORNEY FEES ARE 4 ORDERED IN THE AMOUNT OF TWO THOUSAND AND TWO HUNDRED NINETY-TWO 5 DOLLARS (\$2,291), SUBJECT TO OFFSET UNDER THE TREASURY OFFSET PROGRAM, AND SHALL BE PAID IN THE MANNER OUTLINED IN THE PARTIES' STIPULATION.

9 Dated:___June 25, 2025 HontRobert M. Illman 9 UNITED STATES MAGISTRATE JUDGE 10 11 12 13 15 16 17 18 19 20 21 22 23 24 25 26 27 28 STIPULATION 3 25-cv-1420-RMI