

**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

OPINION

Barton v. King

PER CURIAM.

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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

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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 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

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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

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