

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

L.R.M. v. Leland Dudek, et al.

No. 23-cv-02647-LJC, United States District Court for the Northern District of California (May 12, 2025)

SUMMARY

The United States District Court for the Northern District of California granted Plaintiff L.R.M.’s application for attorney’s fees and costs under the Equal Access to Justice Act. The court found that the government’s position was not substantially justified, that Plaintiff was a prevailing and eligible party following a sentence-four remand in a Social Security disability case, and that the requested fees and expenses were reasonable. The court awarded \$8,733.13, payable directly to Plaintiff’s counsel subject to any government debt offset.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Lisa J. Cisneros
JURISDICTION	United States District Court for the Northern District of California
DECIDED	May 12, 2025
DOCKET	23-cv-02647-LJC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for attorney's fees and costs under the Equal Access to Justice Act after prevailing on summary judgment and obtaining a sentence-four remand in a Social Security disability-benefits action. The government filed a notice of non-objection.
STANDARD OF REVIEW	The Court independently reviewed the EAJA fee request despite the government's non-objection. It evaluated substantial justification under whether the government's position had a reasonable basis in law and fact, and evaluated the requested hours, rates, and expenses for reasonableness.
PRECEDENTIAL VALUE	Unreported federal district-court order; precedential status not stated and generally nonprecedential.

TOPICS

- attorney fees
- judicial review of agency action
- administrative law
- summary judgment
- civil procedure

PRACTICE AREAS

administrative law

social security

attorney fees

civil procedure

QUESTIONS PRESENTED

1. Whether the government's position in the administrative proceedings and in defending the ALJ's decision was substantially justified under the EAJA.
2. Whether Plaintiff was a prevailing and otherwise eligible party under the EAJA.
3. Whether Plaintiff's EAJA application was timely.
4. Whether the requested attorney and paralegal rates and hours were reasonable.
5. Whether the requested legal-research expense was compensable under the EAJA.
6. Whether the EAJA award could be paid directly to Plaintiff's counsel, subject to any government debt offset.

HOLDINGS

1. The government's position was not substantially justified because the ALJ's decision contained serious errors and the government lacked a reasonable basis in law and fact for defending it.
2. Plaintiff was a prevailing party and was otherwise eligible for an EAJA award.
3. Plaintiff's EAJA application was timely.
4. The requested compensation for 27.9 attorney hours at \$244.62 per hour and 14.3 paralegal hours at \$130 per hour, totaling 42.2 hours, was reasonable.
5. Plaintiff was entitled to recover \$49.23 for Westlaw research as a reasonable EAJA expense, but not the claimed \$405 filing fee.
6. The award should be paid directly to Plaintiff's counsel pursuant to the assignment, subject to any debt offset owed to the government.

KEY QUOTATIONS

"Substantially justified" means "justified to a degree that could satisfy a reasonable person" with a "reasonable basis both in law and fact." (at 3)

"Given the serious flaws in the ALJ's analysis," the Court finds that Defendant's decision to "defend the ALJ's decision in this action" was not substantially justified." (at 4)

"An applicant for disability benefits becomes a prevailing party for the purposes of the EAJA if the denial of her benefits is reversed and remanded regardless of whether disability benefits ultimately are awarded." (at 4)

"The EAJA directs courts to award "fees and other expenses" to the "prevailing party" other than the U.S. government." (at 9)

"direct payment to the attorney should not be presumed." (at 9)

FACTUAL BACKGROUND

L.R.M. applied for disability insurance benefits under Title II of the Social Security Act in 2018. An ALJ denied the application in 2020, the Appeals Council remanded in 2021, and the ALJ denied benefits again after a second hearing in 2022. In the resulting judicial-review action, the Court found errors in the ALJ's treatment of L.R.M.'s symptom testimony, medical opinion, lay-witness testimony, and residual functional capacity, and remanded for further proceedings. L.R.M. then sought \$8,733.13 in EAJA fees and costs.

PROCEDURAL HISTORY

L.R.M. applied for Title II disability insurance benefits, was denied by an administrative law judge, obtained an Appeals Council remand, and was denied again after a second hearing. After the Appeals Council declined review, she filed this action. The Court granted her motion for summary judgment, denied the government's cross-motion, and remanded for further proceedings under sentence four of 42 U.S.C. § 405(g). Judgment was entered on September 23, 2024, and Plaintiff timely moved for EAJA fees and costs.

DISPOSITION

other

CASES CITED

- Gates v. Deukmejian, 987 F.2d 1392, 1397, 1401, 1405 (9th Cir. 1992)
- Gutierrez v. Barnhart, 274 F.3d 1255, 1257-58, 1261 (9th Cir. 2001)
- United States v. Rubin, 97 F.3d 373, 376 (9th Cir. 1996)
- Meier v. Colvin, 727 F.3d 867, 873 (9th Cir. 2013)
- Flores v. Shalala, 49 F.3d 562, 570 n.11 (9th Cir. 1995), as amended on denial of rehearing (June 5, 1995)
- Shalala v. Schaefer, 509 U.S. 292, 302 (1993)
- Hensley v. Eckerhart, 461 U.S. 424, 433 (1983)
- Thangaraja v. Gonzales, 428 F.3d 870, 876-77 (9th Cir. 2005)
- Richlin Security Service Co. v. Chertoff, 553 U.S. 571, 590 (2008)
- Chalmers v. City of Los Angeles, 796 F.2d 1205, 1211 (9th Cir. 1986)
- United Steelworkers of America v. Phelps Dodge Corp., 896 F.2d 403, 407 (9th Cir. 1990)
- Luhr v. Berryhill, No. 17-cv-00686, 2018 WL 11392829, at *4 (N.D. Cal. Aug. 14, 2018)
- Mitford v. Kijakazi, No. 20-cv-05360, 2021 WL 6052006, at *2, *5 (N.D. Cal. Dec. 21, 2021)
- Nielsen v. Colvin, No. 11-cv-03379, 2015 WL 2174222, at *5 (N.D. Cal. May 8, 2015)
- Costa v. Commissioner of Social Security Administration, 690 F.3d 1132, 1136 (9th Cir. 2012)
- Moreno v. City of Sacramento, 534 F.3d 1106, 1112 (9th Cir. 2008)
- Matos v. Saul, 469 F. Supp. 3d 934, 940 (N.D. Cal. 2020)
- Sorenson v. Mink, 239 F.3d 1140, 1147 (9th Cir. 2001)
- Valle v. Berryhill, No. 16-cv-02358, 2018 WL 1449414, at *2 (N.D. Cal. Jan. 18, 2018)
- P.W. v. Saul, No. 19-cv-01132, 2020 WL 3488041, at *1 (N.D. Cal. June 26, 2020)
- Long v. Colvin, No. 13-cv-05716, 2015 WL 3902160, at *2 (N.D. Cal. June 24, 2015)

- Johnson v. Astrue, No. C-07-2387, 2008 WL 3984599, at *3 (N.D. Cal. Aug. 27, 2008)
- Astrue v. Ratliff, 560 U.S. 586, 588, 598 (2010)
- United States v. \$186,416.00 in U.S. Currency, 642 F.3d 753, 756 (9th Cir. 2011)
- Little v. Commissioner of Social Security, No. 23-cv-00793, 2023 WL 9051266, at *3 (N.D. Cal. Dec. 28, 2023)

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