

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ANNA HASBROUCK,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting Commissioner of
Social Security;

Defendant.

4:23CV3066

ORDER

This matter is before the Court on Plaintiff's motion for attorney fees, [Filing No. 26](#), and the joint stipulation of the parties, [Filing No. 28](#). Plaintiff, Anna Hasbrouck, by her attorney, applies for attorney's fees pursuant to the Equal Access to Justice Act (EAJA), [28 U.S.C. §2412\(d\)](#). Plaintiff requested that the Court grant this application and award Plaintiff attorney's fees in the amount of \$14,300.00 and court filing fees in the amount of \$402.00. However, the parties now stipulate that Plaintiff shall be awarded attorney's fees in the amount of \$8,500 under the Equal Access to Justice Act (EAJA), [28 U.S.C. § 2412](#) and \$402.00 in costs for the filing fee.

The Court has carefully reviewed the request and supporting documentation. Final judgment remanding this matter was entered January 18, 2024. The Court finds the plaintiff is, therefore, a prevailing party. The Court further finds that the position of the Commissioner was not substantially justified. In addition, plaintiff has a net worth of less than Two Million Dollars (\$2,000,000.00). The Court reviewed the attachments regarding hours spent as well as the hourly fee. The Court finds they are reasonable in nature. The filing fee is a cost which is distinguished from an expense under the EAJA, see [28 U.S.C.](#)

§ 2412(a), and should be compensated from the Judgment Fund administered by the United States Treasury. For these reasons, the Court finds the plaintiff should be awarded fees and costs as set forth in the stipulation of the parties.

THEREFORE, IT IS ORDERED THAT:

1. Plaintiff's motion for attorney fees, [Filing No. 26](#), is granted as specified in the stipulation.
2. The stipulation of the parties, [Filing No. 28](#), is likewise granted. The Court hereby awards attorney fees of \$8,500 to be paid by the Social Security Administration, and costs of \$402.00 to be paid from the Judgment Fund.

Dated this 26th day of March, 2024.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge