

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOCTORS FOR AMERICA, et al.

Plaintiffs,

v.

OFFICE OF PERSONNEL
MANAGEMENT, et al.

Defendants.

Civil Action No. 25-cv-322-JDB

**JOINT MOTION FOR AN ORDER AWARDING ATTORNEYS' FEES AND COSTS
PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT**

Plaintiff Doctors for America and all Defendants jointly request that the Court enter an order awarding Doctors for America \$55,000.00 in attorneys' fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412.¹

On July 3, 2025, the Court issued a Memorandum Opinion (ECF No. 60) and Order (ECF No. 59) granting in part and denying in part the parties' cross-motions for summary judgment in this Administrative Procedure Act case. The Court granted Plaintiffs' motion for summary judgment as to Counts I and III of the First Amended Complaint, vacated the Office of Personnel Management memorandum and Department of Health and Human Services guidance at issue in this case, and ordered restoration of webpages identified by Plaintiffs that Defendants had removed or substantially modified on the basis of the memorandum or guidance. The time for filing a notice of appeal has passed.

¹ Although a plaintiff in the case, the City and County of San Francisco does not seek a fee award under EAJA.

Doctors for America's claim for attorneys' fees and costs under 28 U.S.C. § 2412 is the only substantive outstanding issue in this case. To resolve the issue of attorneys' fees and costs without adversarial motion practice, Defendants have agreed to pay Doctors for America the sum of \$55,000.00, in full and final satisfaction of any and all of Plaintiffs' claims for attorneys' fees, costs, and litigation expenses in connection with this case, and is inclusive of any interest. Plaintiffs' counsel will provide Defendants' counsel the bank routing and account information for Doctors for America to receive such payment. The parties further acknowledge that the compromise of this claim is not evidence of or an admission by Defendants as to Plaintiffs' entitlement to or eligibility for attorneys' fees, costs, or other litigation expenses.

Thus, the parties jointly request that the Court enter an order directing Defendants to pay Doctors for America, within 30 days of the Court's order, a total of \$55,000.00, for Plaintiffs' attorneys' fees, costs, and other litigation expenses incurred in this matter.

A proposed order is attached.

Respectfully submitted,

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Dated: September 29, 2025