

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

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L.N.P.	)	
<i>on his own behalf and on behalf of his</i>	)	
<i>dependent children P.D.P. and L.D.P.</i>	)	
<i>and on behalf of all others similarly situated</i>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>- versus -</b>	)	<b>Case No. 1:24-cv-01196 (MSN/IDD)</b>
	)	
<b>FRANK BISIGNANO,</b>	)	
<b>Commissioner of Social Security Administration,</b>	)	
<i>et al.,</i>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**PLAINTIFFS' UNOPPOSED REQUEST FOR STATUS CONFERENCE**

Plaintiffs request that the Court schedule a status conference to discuss certain developments regarding the class list, as described below. Defendants do not oppose this request. If amenable to the Court, counsel for Plaintiffs request that the conference be held remotely or that Plaintiffs' counsel be permitted to attend remotely. Plaintiffs are available on the following dates: February 10, February 12 (remote only), February 13, February 17 (remote only), February 18 (remote only), February 19, February 20.<sup>1</sup>

The purpose of the conference is to discuss the following issue. On January 23, 2026, as Ordered by the Court, Class Counsel mailed notice to the 47,747 people on the supplemental class list produced by the agency. As the Court may recall, supplemental notice was required because the agency mistakenly omitted class members from the prior class list—an issue that only came to

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<sup>1</sup> A notation of "remote only" indicates that Plaintiffs' counsel is only available on those dates for a remote conference due to other work or personal commitments that would prevent counsel from travelling to and from Alexandria for an in-person conference.

Class Counsel's attention when class members called to inquire about why some of their children were not on the list. *See, e.g.*, Dkt. 122 (Third Status Report) at 1-2; Dkt. No. 119 (Second Status Report) at 1-2. One such error involved excluding children who had their benefits terminated because they aged out (either over 19, or over 18 and not in school) during the class period—even though such children had received reduced benefit payments during some portion of the class period and therefore should have been in the class. The supplemental class list supposedly resolved this error (and related errors) by removing termination filters from the agency's search criteria—*i.e.*, not excluding people from the class list merely because their benefits had been terminated (for whatever reason).

After sending supplemental notice on January 23, Class Counsel has been contacted by nearly 30 individuals (and counting) who—like last time—asked why they received a notice for some of their children but not others who, according to them, also qualified as a class member and should have been on the list. Class Counsel began sending these inquiries to counsel for SSA on Thursday January 29, 2026, and has continued to send new inquiries as they arrive. Counsel for SSA advised that the inquiries were forwarded to SSA for review and resolution. As of this filing, SSA has not provided any information about why the children at issue were not included in the supplemental (or original) class lists, whether they were properly or improperly excluded, or whether there has been some other systemic error that (like last time) might have resulted in the improper exclusion of even more class members.

Counsel for both parties agree that this case should be brought to an end as promptly as possible and neither party wants to delay the March 13, 2026, hearing on Plaintiffs' motion to enter final judgment. Nevertheless, the class notice process must be finalized and, to do so, SSA must urgently resolve the open issues so that remedial steps can be taken. Hence, Plaintiffs seek to

discuss these issues at a status conference and obtain the Court's guidance and direction as to how best to resolve them.

For example, in instances where some family members received by mail the supplemental notice but others in the family who should have received a notice did not, the parties have agreed that additional notice can be made by email or provided over the phone for those other family members. Plaintiffs would like to obtain the Court's imprimatur that such notice is sufficient and satisfies due process. There may also be additional class members for whom no notice was sent to a sibling or other member of the family, but at this juncture SSA has not revealed whether this has happened or the extent of the problem. If this is an issue, Plaintiffs wish to discuss possible solutions that will expedite resolution of this case.

Dated: February 6, 2026

Respectfully submitted,

/s/ Joseph J. Green

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*Counsel for Plaintiffs and the class*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6th day of February 2026, Plaintiffs' Unopposed Request for Status Conference was uploaded to this Court's CM/ECF system, which will electronically serve a copy of the same on all counsel of record.

Respectfully submitted,

/s/ Joseph J. Green

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