

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jasbir Kaur v. Commissioner of Social Security

Kaur · No. 1:24-cv-00397-HBK · Decided January 16, 2026

SUMMARY

The United States District Court for the Eastern District of California granted Plaintiff Jasbir Kaur’s motion for attorney’s fees under 42 U.S.C. § 406(b) following a sentence-four remand and a subsequent award of disability benefits. The court awarded \$12,200.00 and directed counsel to refund \$7,500.00 previously awarded under the Equal Access to Justice Act.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 16, 2026
DOCKET	1:24-cv-00397-HBK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for an award of attorney's fees under 42 U.S.C. § 406(b) after obtaining a sentence-four remand and an award of retroactive Social Security disability benefits. The court granted the motion, subject to an offset for previously awarded EAJA fees.
STANDARD OF REVIEW	Reasonableness review of an attorney-fee request under 42 U.S.C. § 406(b), including consideration of the fee agreement, the results obtained, counsel's experience, hours expended, and whether the requested fee reflects inflated hours or an excessive hourly rate.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- attorney fees
- judicial review of agency action
- administrative law
- remedies

PRACTICE AREAS

- Social Security
- attorney's fees
- administrative law

QUESTIONS PRESENTED

1. Whether counsel's request for \$12,200 in attorney's fees under 42 U.S.C. § 406(b) was reasonable.
2. Whether the § 406(b) award had to be offset by the \$7,500 in EAJA fees previously awarded.

HOLDINGS

1. The requested \$12,200 § 406(b) fee was reasonable and could be awarded.
2. Counsel had to refund \$7,500 to Plaintiff as an offset for the previously awarded EAJA fees.

KEY QUOTATIONS

“Counsel, however, must refund to the plaintiff the amount of the smaller fee.” (at 2)

“Counsel still bears the burden, however, of showing the requested fees are reasonable.” (at 2)

“Counsel shall refund to Plaintiff \$7,500.00 of the § 406(b) fees awarded as an offset for the EAJA fees previously awarded pursuant to 28 U.S.C. § 2412(d).” (at 4)

FACTUAL BACKGROUND

Counsel represented Plaintiff in a Social Security disability-insurance-benefits action and obtained a sentence-four remand. On remand, the Commissioner found Plaintiff disabled beginning in October 2018 and awarded \$85,722 in retroactive benefits. Plaintiff's contingency-fee agreement allowed counsel to retain 25% of past-due benefits, and counsel documented 30 hours of work while seeking \$12,200 in § 406(b) fees.

PROCEDURAL HISTORY

Plaintiff filed an action seeking judicial review of the Commissioner's denial of disability insurance benefits. The court granted the parties' stipulated motion for a sentence-four remand under 42 U.S.C. § 405(g), and later awarded \$7,500 in EAJA fees. On remand, the Commissioner found Plaintiff disabled beginning in October 2018 and awarded \$85,722 in retroactive benefits. Plaintiff then sought \$12,200 in § 406(b) attorney's fees, which the court granted subject to refund of the \$7,500 EAJA award.

DISPOSITION

other

CASES CITED

- *Gisbrecht v. Barnhart*, 535 U.S. 789, 793, 796, 805, 807-08 (2002)
- *Biggerstaff v. Saul*, 840 F. App'x 69, 70-71 (9th Cir. 2020)
- *Crawford v. Astrue*, 586 F.3d 1142, 1147, 1151, 1153 (9th Cir. 2009)
- *Parrish v. Commissioner of Social Security Administration*, 698 F.3d 1215, 1219 (9th Cir. 2012)
- *Mayfield v. Commissioner of Social Security*, No. 1:16-cv-01084-SAB, ECF No. 24 at 5 (E.D. Cal. Mar. 19, 2020)

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