

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Mikaila W. v. Commissioner of Social Security

Mikaila W. · No. 6:23-cv-01422-MTK · Decided February 11, 2026

SUMMARY

The United States District Court for the District of Oregon granted Plaintiff's unopposed motion for attorney fees under 42 U.S.C. § 406(b). The court awarded Kevin Kerr \$4,800.00, required counsel to refund \$587.08 previously received under the Equal Access to Justice Act, and addressed payment of withheld benefits subject to the applicable administrative assessment.

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF OREGON Case No. 6:23-cv-01422-MTK MIKAILA W., ORDER Plaintiff, v. COMMISSIONER OF SOCIAL SECURITY, Defendant. KASUBHAI, United States District Judge: Before the Court is Plaintiff's Unopposed Motion for Attorney Fees. ECF No. 15. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court has reviewed the record in this case and finds that the requested fees are reasonable.

Plaintiff's Motion (ECF No. 15) is hereby granted as follows: Kevin Kerr is allowed an attorney's fee under the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$4,800.00, to be paid in accordance with agency policy. Plaintiff's counsel shall refund the amount of \$587.08 already received by counsel under the Equal Access to Justice Act. Any funds withheld by the Commissioner in anticipation of an order under Section 406(b), less an administrative assessment pursuant to 42 U.S.C.

406(d), may be paid to Kevin Kerr, using the information on file with the Agency, consistent with this order. DATED this 11th day of February 2026. s/ Mustafa T. Kasubhai MUSTAFA T. KASUBHAI (he/him) United States District Judge