

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Troy J. v. Commissioner, Social Security Administration

Troy J. · No. 6:23-cv-01474-HZ · Decided March 12, 2026

SUMMARY

The United States District Court for the District of Oregon grants Plaintiff’s motion for attorney’s fees under 42 U.S.C. § 406(b) following a remand and subsequent award of Social Security benefits. The Court awards \$23,919.75, directs deduction of the \$7,274.55 previously paid under the Equal Access to Justice Act, and orders payment of the remaining balance to Plaintiff’s attorney, subject to applicable processing fees.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Marco A. Hernández
JURISDICTION	United States District Court for the District of Oregon
DECIDED	March 12, 2026
DOCKET	6:23-cv-01474-HZ
DISPOSITION	other
PROCEDURAL POSTURE	After the court reversed the Commissioner's denial of Disability Insurance Benefits and remanded for additional proceedings pursuant to the parties' stipulation, Plaintiff sought attorney's fees under 42 U.S.C. § 406(b) after receiving an award of benefits.
STANDARD OF REVIEW	The court reviewed the requested § 406(b) fee award for reasonableness under <i>Gisbrecht v. Barnhart</i> , 535 U.S. 789 (2002).
PRECEDENTIAL VALUE	unpublished
PARTIES	Troy J. v. Commissioner, Social Security Administration

TOPICS

- attorney fees
- remedies
- administrative law
- civil procedure

PRACTICE AREAS

- Social Security
- attorney fees
- administrative law

QUESTIONS PRESENTED

1. Whether Plaintiff's counsel should receive \$23,919.75 in attorney's fees under 42 U.S.C. § 406(b).
2. Whether the previously received EAJA fee of \$7,274.55 must be deducted from the § 406(b) payment.

HOLDINGS

1. The requested \$23,919.75 attorney's fee was reasonable under the standards established in *Gisbrecht v. Barnhart* and was awarded under 42 U.S.C. § 406(b).
2. The Commissioner must subtract the \$7,274.55 previously received under EAJA from the § 406(b) payment and pay counsel the remaining \$16,645.20, less applicable statutory processing fees; any remaining withheld amount must be released to Plaintiff after all authorized administrative and court fees are paid.

KEY QUOTATIONS

“The Court GRANTS the motion [14] and awards Plaintiff’s counsel \$23,919.75 in attorney’s fees under 42 U.S.C. § 406(b).”

“When issuing the section 406(b) check for payment to Plaintiff’s attorney, the Commissioner is directed to subtract the \$7,274.55 previously received under EAJA and send Plaintiff’s attorney the balance of \$16,645.20, less any applicable processing fees as allowed by statute.”

FACTUAL BACKGROUND

The Commissioner initially denied Troy J.'s claim for Disability Insurance Benefits. Following a stipulated motion, the court reversed that decision and remanded for further proceedings, after which Plaintiff was awarded benefits. Plaintiff's counsel sought \$23,919.75 in fees under § 406(b), supported by the benefits award, fee agreement, and counsel's records of hours and services; counsel had previously received \$7,274.55 under the Equal Access to Justice Act.

PROCEDURAL HISTORY

Plaintiff filed an action seeking review of the Commissioner's final decision denying Disability Insurance Benefits. On February 12, 2024, the court granted the parties' stipulated motion, reversed the Commissioner's decision, and remanded for additional proceedings; judgment was entered the same day. After Plaintiff received notice of an award of benefits, counsel moved for \$23,919.75 in fees under 42 U.S.C. § 406(b), and the Commissioner did not object.

DISPOSITION

other

CASES CITED

- *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002)

OPINION

Jordon

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

TROY J., No. 6:23-cv-01474-HZ Plaintiff, ORDER v.

COMMISSIONER, SOCIAL

SECURITY ADMINISTRATION,

Defendant. HERNÁNDEZ, Senior District Judge: Plaintiff Troy J. brought this action seeking review of the Commissioner's final decision to deny Disability Insurance Benefits. On February 12, 2024, pursuant to the parties' stipulated motion, the Court reversed the Commissioner's decision and ordered that the case be remanded for additional proceedings. Order, ECF 10. Judgment was also entered on February 12, 2024. J., ECF 11. On September 19, 2025, Plaintiff's counsel received notice of Plaintiff's award for benefits. Pl. Mot. Ex. 1, ECF 14-1. Plaintiff now seeks an award of fees of \$23,919.75 pursuant to 42 U.S.C. § 406(b). Pl. Mot., ECF 14. Defendant has no objection to the request. Id. The Court has reviewed the record in the case, the motion, and the supporting materials including the award of benefits, the fee agreement with counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds the requested fees reasonable. The Court GRANTS the motion [14] and awards Plaintiff's counsel \$23,919.75 in attorney's fees under 42 U.S.C. § 406(b). When issuing the section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the \$7,274.55 previously received under EAJA and send Plaintiff's attorney the balance of \$16,645.20, less any applicable processing fees as allowed by statute. Any amount withheld after all administrative and court attorney's fees are paid should be released to Plaintiff. IT IS SO ORDERED. DATED: ____M__a__r__c__h__ _1_2_, _2_0_2_6_____.

MARCO A. HERNÁNDEZ

United States Senior District Judge