

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Nicholas Eli Manning v. Commissioner of Social Security

Manning · No. 2:25-cv-01495-JR · Decided April 9, 2026

SUMMARY

The United States District Court for the District of Oregon ordered an award of \$620.30 in attorney fees to Nicholas Eli Manning under the Equal Access to Justice Act, 28 U.S.C. § 2412. The order provides that payment is subject to verification of qualifying debts under the Treasury Offset Program and specifies payment procedures involving Plaintiff's attorney. It was dated April 9, 2026, and signed by United States Magistrate Judge Jolie A. Russo.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Jolie A. Russo
DECIDED	April 9, 2026
DOCKET	2:25-cv-01495-JR
DISPOSITION	other
PROCEDURAL POSTURE	Order awarding attorney fees under the Equal Access to Justice Act in a Social Security case.
PRECEDENTIAL VALUE	unpublished
PARTIES	Nicholas Eli Manning v. Commissioner of Social Security

TOPICS

- attorney fees
- administrative law
- remedies
- civil procedure

PRACTICE AREAS

- Social Security
- administrative law
- federal court practice

QUESTIONS PRESENTED

- Whether Plaintiff should receive attorney fees under the Equal Access to Justice Act.
- Whether payment of the awarded fees is subject to verification of qualifying debt and possible offset under the Treasury Offset Program.

HOLDINGS

1. Plaintiff is entitled to an award of \$620.30 in attorney fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.
2. The fee award must be paid subject to verification that Plaintiff has no qualifying debt for offset under the Treasury Offset Program; absent such debt, payment may be made to Plaintiff's attorney, while any remaining amount after offset must be made payable to Plaintiff.

FACTUAL BACKGROUND

The opinion provides no substantive facts concerning Plaintiff's underlying Social Security claim. It concerns only Plaintiff's request for attorney fees under the Equal Access to Justice Act and the manner in which those fees must be paid if Plaintiff has qualifying debt.

PROCEDURAL HISTORY

The document is an order in an action brought by Nicholas Eli Manning against the Commissioner of Social Security. The court awarded Plaintiff \$620.30 in attorney fees under the Equal Access to Justice Act and specified that payment was subject to verification and possible offset for qualifying federal debt.

DISPOSITION

other

CASES CITED

- Astrue v. Ratliff, 130 S. Ct. 2521 (2010)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF OREGON NICHOLAS ELI MANNING, 2:25-cv-01495-JR Plaintiff, vs. ORDER COMMISSIONER OF SOCIAL SECURITY, Defendant. It is hereby ORDERED that attorney fees in the amount of \$620.30 shall be awarded to Plaintiff pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. Attorney fees will be paid to Plaintiff's attorney, dependent upon verification that Plaintiff has no debt which qualifies for offset against the awarded fees, pursuant to the Treasury Offset Program as discussed in Astrue v. Ratliff, 130 S.Ct.

2521 (2010). If Plaintiff has no such debt, then the fees shall be delivered via electronic funds transfer or by check made out to Plaintiff's attorney Kevin Kerr, and mailed to Plaintiff's attorney's office as follows: NW Disability benefits, LLC dba Kerr Robichaux & Carroll (TID 85-3999428), P.O. Box 14490, Portland, OR 97293. If Plaintiff has a debt, then any remaining funds after offset of the debt shall be made payable to Plaintiff and sent via electronic funds transfer or by check mailed to Plaintiff's attorney's office at the address stated above.

DATED this 9th day of April, 2026. /s/ Jolie A. Russo Jolie
A. Russo United States Magistrate Judge Submitted by: Kevin Kerr, OSB #080934
kevin.kerr@GetSSD.com Kerr Robichaux & Carroll PO Box 14490 Portland, Oregon 97293
Phone: 503-255-9092 Fax: 503-255-9145 Attorney for Plaintiff

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