

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Benjamin G. v. Commissioner, Social Security Administration

Case No. 2:23-cv-000195-MTK (D. Or. Feb. 19, 2026) · No. 2:23-cv-000195-MTK · Decided February 19, 2026

SUMMARY

The United States District Court for the District of Oregon awarded Plaintiff's counsel \$27,906.50 in attorney's fees under 42 U.S.C. § 406(b) after reversing the Commissioner's denial of Social Security disability benefits and remanding for calculation and award of benefits. The court directed that previously awarded EAJA fees of \$8,395.58 be deducted from the § 406(b) award, leaving a balance of \$19,510.92 payable to counsel.

OPINION

Gabriel

PER CURIAM.

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

BENJAMIN G.,¹ Case No. 2:23-cv-000195-MTK Plaintiff,

ORDER

v. COMMISSIONER, Social Security Administration, Defendant.

KASUBHAI, United States District Judge:

Plaintiff Benjamin G. brought this action seeking review of the Commissioner's final decision denying his application for disability insurance benefits and supplemental security income under the Social Security Act. ECF No. 1. The Court reversed the Commissioner's decision, remanded the case for calculation and award of benefits, and entered Judgment on August 27, 2024. ECF Nos. 14, 18-19. Plaintiff's attorney now seeks an award of fees pursuant to 42 U.S.C. § 406(b). ECF No.

25. Defendant takes no position with respect to the request. Id. Applying the standards set

1 In the interest of privacy, the Court uses only the first name and last name initial of non-government parties whose identification could affect Plaintiff's privacy. by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court has reviewed the record in this case and finds that the requested fee is reasonable. Plaintiff's Motion for Attorney Fees Under 42 U.S.C. § 406(b) (ECF No. 25) is hereby GRANTED as follows: Plaintiff's counsel is allowed an attorney's fee under the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$27,906.50, to be paid in accordance with agency policy. When issuing the section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the amount previously received under EAJA (\$8,395.58) and

send Plaintiff's attorney the balance of \$19,510.92. Any amount withheld after all administrative and court attorney's fees are paid should be released to Plaintiff. IT IS SO ORDERED. DATED this 19th day of February , 2026. /s/ Mustafa T. Kasubhai

MUSTAFA T. KASUBHAI (He/Him)

United States District Judge