

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON**

Shaun Williams v. Commissioner of Social Security

No. 2:23-cv-672-RSM (W.D. Wash. Jan. 15, 2026) · No. 2:23-cv-672-RSM · Decided January 15, 2026

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE 9 SHAUN WILLIAMS, Case No. 2:23-cv-672-RSM 10 Plaintiff, ORDER
GRANTING PLAINTIFF'S 11 MOTION FOR ATTORNEY FEES v. PURSUANT TO 42 U.S.C.
§ 406(b) 12 COMMISSIONER OF SOCIAL SECURITY, 13 Defendant. 14 15 This matter comes
before the Court on Plaintiff's Motion for Attorney Fees under 42 16 U.S.C. § 406(b).

Dkt. #18. Plaintiff seeks fees in the net amount of \$21,925.05 out of 17 \$152,820.20 in past due
benefits. See Dkt. #19. This accounts for a previous Equal Access to 18 Justice Act ("EAJA") fee
award \$7,080. Id. Defendant did not respond to this Motion. See gen. 19 Dkt. 20 Attorney's fees
may be awarded to a successful social security claimant's counsel for his 21 or her representation
before a court pursuant to 42 U.S.C. § 406(b).

Straw v. Bowen, 866 F.2d 22 1167 (9th Cir. 1989). Plaintiff must apply to the Social Security
Administration for an award of 23 fees for representation at the administrative level. 42 U.S.C. §
406(a); Stenswick v. Bowen, 815 24 1 F.2d 519 (9th Cir. 1987).

Under 42 U.S.C. § 406(b), the Court may allow a reasonable fee for an attorney who represented a
Social Security Title II claimant before the Court and obtained a 2 favorable judgment, as long as
such fee is not in excess of 25% of the total past-due benefits. See 3 *Grisbrecht v. Barnhart*, 535
U.S. 789 (2002). 4 Fee awards may be made under both the EAJA and § 406(b), but the claimant's
attorney 5 must refund to the claimant the amount of the smaller fee.

See *Gisbrecht v. Barnhart*, 535 U.S. 6 789, 796 (2002). 7 The Court concludes that the request is
reasonable within the meaning of § 406(b). 8 Accordingly, having reviewed Plaintiff's Motion, the
exhibits and declarations attached thereto, 9 and the remainder of the record, the Court ORDERS
as follows: Plaintiff's Motion for Attorney 10 Fees Pursuant to 42 U.S.C. § 406(b), Dkt. #18, is
GRANTED.

Plaintiff's counsel is awarded 11 \$21,925.05 in attorney fees under 42 U.S.C. § 406(b). When
issuing the § 406(b) check for 12 payment to Plaintiff's attorney, the Commissioner is directed to
send to Plaintiff's attorney, 13 David P. Oliver at 4608 South 47th Street, Suite C, Tacoma, WA
98409, or via automatic deposit, 14 the net balance of \$21,925.05, less any applicable processing
fee prescribed by law.

The Court 15 STRIKES Plaintiff's repeat filings of the instant Motion, Dkt. #20, and declaration,
Dkt. #21. 16 17 DATED this 15th day of January, 2026. 18 A 19 20 RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE 21 22 23 24

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