

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Hinson v. Commissioner of Social Security

Civil No. 1:23-cv-00026-DRM (D. Md. Feb. 11, 2026) · No. 1:23-cv-00026-DRM · Decided February 11, 2026

SUMMARY

The United States District Court for the District of Maryland partially granted Plaintiff's motion for attorney's fees under 42 U.S.C. § 406(b) following a successful Social Security appeal. The court determined that an hourly rate of \$1,400 for 11.50 hours of work was reasonable and awarded \$16,100.00, subject to counsel's reimbursement of fees previously received under the Equal Access to Justice Act.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Douglas R. Miller
JURISDICTION	United States District Court for the District of Maryland
DECIDED	February 11, 2026
DOCKET	1:23-cv-00026-DRM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under section 406(b) of the Social Security Act for \$22,064.50 in attorney's fees for successful representation in federal court. The government did not support or oppose the motion. The court granted the motion in part and awarded \$16,100.00.
STANDARD OF REVIEW	The court independently reviewed the contingent-fee agreement to determine whether the requested fee was reasonable, considering the character of the representation, the results achieved, the hours worked, the attorney's typical hourly rate, and whether the award would constitute a windfall.
PRECEDENTIAL VALUE	unpublished district court letter opinion; persuasive only
PARTIES	Hinson v. Commissioner of Social Security

TOPICS

- attorney fees
- administrative law
- remedies
- civil procedure

PRACTICE AREAS

Social Security

attorney's fees

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the requested attorney's fee under 42 U.S.C. § 406(b) was reasonable.
2. Whether an award of \$22,064.50 for 11.50 hours of federal-court work would constitute an unreasonable windfall.
3. What amount of section 406(b) fees should be awarded after considering the contingent-fee agreement, the results obtained, the hours worked, and counsel's customary billing rate.

HOLDINGS

1. A contingent-fee agreement does not automatically establish a reasonable fee under section 406(b); the court must independently review the requested fee in light of the representation, results achieved, time expended, customary hourly rate, and potential windfall.
2. The requested \$22,064.50 fee was not reasonable on the record; an hourly rate of \$1,400 for 11.50 hours, resulting in a total fee of \$16,100.00, was reasonable.
3. Counsel must reimburse Plaintiff for the fees previously received under the EAJA.

KEY QUOTATIONS

“Although contingent fee agreements are the “primary means by which fees are set” in Social Security cases, a court must nevertheless perform an “independent check, to assure that they yield reasonable results in particular cases.”” (at 1)

“Importantly, the Supreme Court acknowledged that a contingent fee agreement would not result in a reasonable fee if the fee constituted a “windfall” to the attorney.” (at 1)

“Instead, this Court concludes that an hourly rate of \$1,400.00, four times Mr. Murahari’s typical hourly billing rate, is a reasonable rate in this case.” (at 2)

FACTUAL BACKGROUND

Plaintiff received \$88,258.00 in past-due Social Security benefits after successful representation by attorney Arjun K. Murahari. Plaintiff and counsel had entered into a contingent-fee agreement providing for 25 percent of retroactive benefits. Counsel documented 11.50 hours of work before the district court, had a typical hourly billing rate of \$350, and sought \$22,064.50 under section 406(b), which would have produced an effective hourly rate of approximately \$1,918.65. Counsel agreed to reimburse Plaintiff for the \$2,816.94 previously paid under the EAJA.

PROCEDURAL HISTORY

Plaintiff obtained an award of \$88,258.00 in past-due benefits. Plaintiff's attorney had previously received \$2,816.94 under the Equal Access to Justice Act for 11.50 hours of federal-court work. After receiving the award

notice, counsel sought \$22,064.50 under 42 U.S.C. § 406(b), agreeing to reimburse Plaintiff for the EAJA fees previously received. The court independently reviewed the contingent-fee request and reduced it to \$16,100.00.

DISPOSITION

other

CASES CITED

- *Gisbrecht v. Barnhart*, 535 U.S. 789, 796, 807-08 (2002)
- *Stephens ex rel. R.E. v. Astrue*, 565 F.3d 131, 135 (4th Cir. 2009)
- *Rodriquez v. Bowen*, 865 F.2d 739, 746-47 (6th Cir. 1989)
- *Melvin v. Colvin*, No. 5:10-CV-160-FL, 2013 WL 3340490 (E.D.N.C. July 2, 2013)
- *Claypool v. Barnhart*, 294 F. Supp. 2d 829, 833 (S.D.W. Va. 2003)
- *Lehman v. Commissioner, Social Security Administration*, Civil No. SAG-10-2160 (D. Md. July 7, 2016) (unpublished)
- *Arvie W. v. Commissioner, Social Security Administration*, No. SAG-17-1148, 2019 WL 3975187 (D. Md. Aug. 22, 2019)
- *Barbara F. v. Commissioner, Social Security Administration*, No. SAG-17-2090, 2019 WL 3340738 (D. Md. July 25, 2019)
- *Kimberly B. v. Commissioner, Social Security Administration*, No. SAG-16-2519, 2019 WL 1559426 (D. Md. Apr. 10, 2019)
- *Matthew C. v. Commissioner, Social Security Administration*, No. JMC-20-3240, 2023 WL 3043906 (D. Md. Apr. 21, 2023)
- *Gina S. v. Kijakazi*, No. 22-2775-MBAH, 2025 WL 2734092 (D. Md. Sept. 25, 2025)

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