

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PRECEDENTIAL VALUE	unpublished district court letter opinion; persuasive only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)

OPINION

Hinson

PER CURIAM.

UNITED STATES DISTRICT COURT

DISTRICT OF MARYLAND

Chambers of <a Dig 101 West Lombard Street Douglas R. Miller Se Baltimore, Maryland 21201

United States Magistrate Judge [sj : MDD_DRMChambers@mdd.uscourts. gov

(410) 962-7770

February 11, 2026

LETTER OPINION

Re: *Hinson v. Commissioner of Social Security* Civil No. 1:23-cv-00026-DRM Dear Counsel: Plaintiff has filed a Motion for Attorney Fees under the Social Security Act (“Act”), 42 U.S.C. § 406(b), in the amount of \$22,064.50. ECF No. 19. The government has responded neither supporting nor opposing the motion. ECF 21. No hearing is necessary. See Loc. R. 105.6 (D. Md.

Dec. 1, 2025). For the reasons set forth below, Plaintiff's motion for attorney's fees is GRANTED IN PART. This Court has awarded Plaintiff's attorney, Arjun K. Murahari, Esq., \$2,816.94 for a total of 11.50 hours worked on Plaintiff's case in federal court, pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. ECF 18. Plaintiff received an Award Notice, in which he was awarded \$88,258.00 in past due benefits. ECF 19-4. Subsequently, Mr. Murahari filed a Motion in this Court, seeking \$22,064.50 in attorney's fees. ECF 19. Mr. Murahari has agreed to reimburse Plaintiff in the amount of fees previously received. ECF 19; see *Gisbrecht v. Barnhart*, 535 US. 789, 796 (2002); *Stephens ex rel. R.E. v. Astrue*, 565 F.3d 131, 135 (4th Cir. 2009). The Act authorizes a reasonable fee for successful representation before this Court, not to exceed twenty-five percent of a claimant's total past-due benefits. 42 U.S.C. § 406(b). 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." *Gisbrecht*, 535 U.S. at 807. In determining whether a request for attorney's fees under section 406(b) is reasonable, the Supreme Court has explained that a reviewing court may properly consider the "character of the representation and the results the representative achieved." *Id.* at 808. 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. *Id.* (quoting *Rodriguez v. Bowen*, 865 F.2d 739, 746-47 (6th Cir. 1989)). Courts may require the attorney to provide a record of hours spent working on the case and the attorney's typical hourly billing charge. *Id.* Page 2 Here, Mr. Murahari and Plaintiff entered into a contingent fee agreement, by which Plaintiff agreed to pay Mr. Murahari twenty-five percent of all retroactive benefits to which he might become entitled. ECF 15-5. In his previous motion for attorney's fees pursuant to the EAJA, Mr. Murahari submitted itemized reports documenting 11.50 chargeable hours he expended before this Court in Plaintiff's case. See ECF 15-8. If Mr. Murahari receives the full amount of fees he requests, his fee for representation before this Court will effectively total \$1,918.65 per hour. Mr. Murahari must therefore show that an effective rate of \$1,918.85 per hour is reasonable for the services he rendered. See *Gisbrecht*, 535 U.S. at 807. Notably, Mr. Murahari's typical hourly billing rate is \$350, ECF 15-6 ¶ 6. Courts in the Fourth Circuit have approved contingency fee agreements that produce much higher hourly rates in successful Social Security appeals. See, e.g., *Melvin v. Colvin*, No. 5:10-CV-160-FL, 2013 WL 3340490 (E.D.N.C. July 2, 2013) (approving contingency fee agreement with hourly rate of \$1,043.92); *Claypool v. Barnhart*, 294 F. Supp. 2d 829, 833 (S.D.W. Va. 2003) (approving contingency fee agreement with hourly rate of \$1,433.12); *Lehman v. Comm'r, Soc. Sec. Admin.*, Civil No. SAG-10-2160 (D. Md. July 7, 2016) (unpublished) (approving contingency fee agreement with hourly rate of \$1,028.14). This Court has routinely approved a higher hourly rate for Mr. Murahari. See *Arvie W. v. Comm'r, Soc. Sec. Admin.*, No. SAG-17-1148, 2019 WL 3975187 (D. Md. Aug. 22, 2019); *Barbara F. v. Comm'r, Soc. Sec. Admin.*, No. SAG-17-2090, 2019 WL 3340738 (D. Md. July 25, 2019); *Kimberly B v. Comm'r, Soc. Sec. Admin.*, No. SAG- 16-2519, 2019 WL 1559426 (D. Md. Apr.

10, 2019); *Matthew C. v. Comm'r, Soc. Sec. Admin.*, 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). However, the requested rate is significantly higher than those awards. 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. A rate of \$1,400.00 for 11.50 hours of work would result in a fee of \$16,100.00, which is reasonable and should be approved. For the reasons set forth herein, this Court GRANTS IN PART Plaintiff's Motion seeking attorney's fees, ECF 19. This Court will award Mr. Murahari attorney's fees totaling \$16,100.00. Mr. Murahari is directed to reimburse to Plaintiff the fees he received pursuant to the EAJA. Notwithstanding the informal nature of this letter, it should be docketed as an opinion. A separate implementing order follows. Sincerely, /s/ Douglas R. Miller United States Magistrate Judge District of Maryland