

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Amanda K. Haley v. Frank J. Bisignano, Commissioner of Social
Security

Haley · No. CIV-24-761-G · Decided April 15, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma grants Plaintiff Amanda K. Haley’s motion for attorney’s fees under 42 U.S.C. § 406(b) following a remand and favorable Social Security disability determination. The court awards counsel Lisa McNair Palmer \$21,030.00 from Plaintiff’s past-due benefits and directs counsel to refund the previously awarded \$7,200.00 Equal Access to Justice Act fee to Plaintiff.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	April 15, 2026
DOCKET	CIV-24-761-G
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under 42 U.S.C. § 406(b) for an award of attorney's fees after obtaining reversal of the Commissioner's denial of benefits and a favorable benefits decision on remand.
STANDARD OF REVIEW	The court evaluates whether the requested contingent fee is reasonable for the services rendered, considering the fee agreement, the contingent nature of the representation, the time spent, the results achieved, and whether the fee exceeds the statutory 25-percent cap.
PRECEDENTIAL VALUE	Unknown; district court order with no published reporter citation or stated precedential designation.
PARTIES	Amanda K. Haley v. Frank J. Bisignano, 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 counsel's requested fee of \$21,030.00 was reasonable under 42 U.S.C. § 406(b)(1)(A).
2. Whether the § 406(b) fee could be paid from Plaintiff's past-due benefits subject to the statutory 25-percent cap.
3. Whether counsel was required to refund the previously awarded \$7,200.00 EAJA fee to Plaintiff upon receiving the § 406(b) award.

HOLDINGS

1. A contingent-fee request within the statutory 25-percent cap may be awarded when the attorney demonstrates that the requested fee is reasonable for the services rendered. The Court found the requested \$21,030.00 reasonable based on the contingent nature of the representation, the fee agreement, the work performed, and the favorable result obtained.
2. The Court may award a § 406(b) fee of up to 25 percent of the claimant's past-due benefits, to be paid out of and not in addition to those benefits.
3. Upon receiving the § 406(b) award, counsel must promptly refund the lesser EAJA award previously paid to Plaintiff.

KEY QUOTATIONS

“the attorney for the successful claimant must show that the fee sought is reasonable for the services rendered.”

“Upon payment, Ms. McNair Palmer shall promptly refund to Plaintiff the \$7200.00 previously awarded under 28 U.S.C. § 2412.”

FACTUAL BACKGROUND

Plaintiff's counsel represented her in federal court after the Commissioner denied her applications for disability insurance benefits and supplemental security income. Counsel filed a detailed opening brief, after which the Commissioner sought remand for further administrative proceedings. On remand, Plaintiff received a favorable decision establishing entitlement to monthly benefits beginning in August 2018 and past-due benefits of \$84,120.00, from which \$21,030.00, or 25 percent, was withheld for representative fees.

PROCEDURAL HISTORY

The Court previously reversed the Commissioner's denial of Plaintiff's applications for disability insurance benefits and supplemental security income and remanded under sentence four of 42 U.S.C. § 405(g). On remand, the Social Security Administration issued a favorable decision and awarded Plaintiff past-due benefits of \$84,120.00. The Court had previously awarded counsel \$7,200.00 under the Equal Access to Justice Act. The

Court granted counsel's unopposed motion for \$21,030.00 in fees under § 406(b), payable from Plaintiff's past-due benefits, and directed counsel to refund the EAJA award to Plaintiff.

DISPOSITION

other

CASES CITED

- *Gisbrecht v. Barnhart*, 535 U.S. 789, 793, 807-08 (2002)
- *McGraw v. Barnhart*, 450 F.3d 493, 497 & n.2 (10th Cir. 2006)
- *Culbertson v. Berryhill*, 586 U.S. 53, 61 (2019)
- *Harris v. Commissioner of the Social Security Administration*, No. CIV-22-94-STE, 2025 WL 4114172, at *2-*3 & n.2 (W.D. Okla. Oct. 28, 2025)

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