

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Karen Bell v. Commissioner of Social Security

Bell · No. 1:21-cv-00786-HBK · Decided August 26, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Karen Bell’s motion for attorney’s fees under 42 U.S.C. § 406(b) following a successful Social Security disability benefits claim and sentence-four remand. The court awarded \$26,947.23 and required counsel to refund \$6,522.02 previously awarded under the Equal Access to Justice Act.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 26, 2025
DOCKET	1:21-cv-00786-HBK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff's counsel moved for attorney's fees under 42 U.S.C. § 406(b) after the court granted a sentence-four voluntary remand in the underlying Social Security action and the Commissioner awarded Plaintiff retroactive benefits. The court granted the fee motion subject to an offset for previously awarded EAJA fees.
STANDARD OF REVIEW	The court independently evaluates whether the requested § 406(b) fee is reasonable, considering the fee agreement, the results achieved, counsel's experience, the time expended, and whether the hours or hourly rate were artificially inflated.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order

TOPICS

- attorney fees
- judicial review of agency action
- administrative law
- remedies
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether counsel's requested \$26,947.23 fee under 42 U.S.C. § 406(b) was reasonable and within the statutory 25-percent limit.
2. Whether the § 406(b) award had to be offset by the \$6,522.02 previously awarded under the Equal Access to Justice Act.

HOLDINGS

1. The requested \$26,947.23 fee was reasonable and appropriate under 42 U.S.C. § 406(b).
2. Counsel must refund \$6,522.02 to Bell as an offset for the EAJA fees previously awarded.

KEY QUOTATIONS

“For the reasons set forth below, Plaintiff’s motion for attorney’s fees is granted in the amount of \$26,947.23 subject to an offset of \$6,522.02 in fees previously awarded on March 6, 2023, under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d).” (at 1)

“Counsel still bears the burden, however, of showing the requested fees are reasonable.” (at 2)

“Counsel shall refund to Plaintiff \$6,522.02 of the § 406(b) fees awarded as an offset for the EAJA fees previously awarded pursuant to 28 U.S.C. § 2412(d).” (at 4)

FACTUAL BACKGROUND

Counsel represented Bell in obtaining a sentence-four remand of her Social Security claim. On remand, the Commissioner found Bell disabled beginning in September 2017 and awarded \$107,788.92 in retroactive benefits. Bell's contingency-fee agreement allowed counsel to retain 25 percent of past-due benefits, and counsel submitted records showing 27.9 hours of attorney work. The requested § 406(b) fee was \$26,947.23, with a required \$6,522.02 refund offset for previously awarded EAJA fees.

PROCEDURAL HISTORY

Bell filed an action seeking judicial review of the denial of supplemental security income and disability insurance benefits. On November 8, 2022, the court granted the parties' stipulation for voluntary remand under sentence four of 42 U.S.C. § 405(g). On remand, the Commissioner found Bell disabled beginning in September 2017 and awarded \$107,788.92 in retroactive benefits. The court had previously awarded \$6,522.02 in EAJA fees, and counsel then sought \$26,947.23 under § 406(b).

DISPOSITION

other

CASES CITED

- *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002)
- *Biggerstaff v. Saul*, 840 F. App'x 69, 70-71 (9th Cir. 2020)
- *Crawford v. Astrue*, 586 F.3d 1142, 1147, 1151, 1153 (9th Cir. 2009)
- *Parrish v. Commissioner of Social Security Administration*, 698 F.3d 1215, 1219 (9th Cir. 2012)
- *Mayfield v. Commissioner of Social Security*, No. 1:16-cv-01084-SAB, ECF No. 24 at 5 (E.D. Cal. March 19, 2020)

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