

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
OKLAHOMA

Lacey Medlin v. Commissioner of the Social Security Administration

Medlin · No. CIV-22-262-JAR · Decided May 12, 2026

SUMMARY

The United States District Court for the Eastern District of Oklahoma granted Plaintiff’s counsel’s motion for attorney fees under 42 U.S.C. § 406(b) following a successful Social Security appeal and remand. The court awarded \$21,341.00, directed payment from withheld past-due benefits, and required counsel to refund the smaller of the EAJA award or the § 406(b) award to Plaintiff’s estate.

CASE DETAILS

COURT	United States District Court for the Eastern District of Oklahoma
WRITING FOR THE COURT	Jason A. Robertson
JURISDICTION	United States District Court for the Eastern District of Oklahoma
DECIDED	May 12, 2026
DOCKET	CIV-22-262-JAR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff's attorney moved under 42 U.S.C. § 406(b) for an award of attorney fees after successfully obtaining a remand and, on remand, a fully favorable Social Security benefits decision.
STANDARD OF REVIEW	The Court reviewed the contingency-fee agreement and contemporaneous time and expense records to determine whether the requested fee produced a reasonable result in the particular case. The Court also evaluated whether the fee request was filed within a reasonable time under Federal Rule of Civil Procedure 60(b)(6).
PRECEDENTIAL VALUE	Unknown
PARTIES	Lacey Medlin v. Commissioner of the Social Security Administration

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether counsel was entitled to an attorney-fee award under 42 U.S.C. § 406(b) in the amount of \$21,341.00.
2. Whether the requested fee was reasonable under the contingency-fee agreement, the 25% statutory limit, and the results obtained.
3. Whether counsel's fee motion was timely under Federal Rule of Civil Procedure 60(b)(6).
4. Whether the § 406(b) fee award required counsel to refund the smaller of the previously awarded EAJA fee and the § 406(b) fee to Plaintiff's estate.

HOLDINGS

1. Counsel was entitled to \$21,341.00 in fees under 42 U.S.C. § 406(b), payable directly from the past-due benefits withheld for that purpose.
2. The fee request was timely because it was filed within a reasonable time of the Commissioner's decision awarding benefits.
3. Counsel must refund to Plaintiff's estate the smaller amount between any EAJA fees already awarded and the § 406(b) fees awarded.

KEY QUOTATIONS

“The only condition upon the full award of 25% is a requirement that the court review contingency fee arrangements “to assure that they yield reasonable results in particular cases.””

“This Court cannot find the delay which occurred in this case warrants the draconian result of denying an award of fees.”

FACTUAL BACKGROUND

Plaintiff retained counsel under a contingency-fee agreement providing for a fee equal to 25% of any past-due benefits ultimately awarded. Counsel successfully prosecuted the appeal, obtained a remand, and Plaintiff received a fully favorable benefits decision on remand. The Social Security Administration withheld \$21,341.00, representing 25% of an inferred past-due-benefits award of \$85,364.00, and counsel sought that amount under 42 U.S.C. § 406(b).

PROCEDURAL HISTORY

Counsel appealed an adverse administrative decision concerning Plaintiff's Social Security benefits. The Commissioner filed an unopposed motion to remand, which the Court granted. Plaintiff subsequently received a fully favorable decision and counsel received an EAJA fee award of \$5,851.50. Counsel then moved for \$21,341.00 in fees under 42 U.S.C. § 406(b), and the Court granted the motion.

DISPOSITION

other

CASES CITED

- *Gisbrecht v. Barnhart*, 535 U.S. 789, 807 (2002)
- *Wrenn v. Astrue*, 525 F.3d 931, 937-938 (10th Cir. 2008)
- *McGraw v. Barnhart*, 450 F.3d 493, 505 (10th Cir. 2006)
- *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986)

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