

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
OKLAHOMA

Teri Vonne Green v. Frank J. Bisignano, Commissioner of the Social
Security Administration

Green · No. CIV-25-372-GLJ · Decided April 3, 2026

SUMMARY

The United States District Court for the Eastern District of Oklahoma grants Teri Vonne Green’s unopposed motion for attorney’s fees and costs under the Equal Access to Justice Act. The court orders payment of \$8,772.00 in attorney’s fees and \$405.00 in costs to Green, subject to a refund obligation if counsel later receives fees under 42 U.S.C. § 406(b)(1).

CASE DETAILS

COURT	United States District Court for the Eastern District of Oklahoma
WRITING FOR THE COURT	Gerald L. Jackson
JURISDICTION	United States District Court for the Eastern District of Oklahoma
DECIDED	April 3, 2026
DOCKET	CIV-25-372-GLJ
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, the prevailing party in a Social Security Act action, moved for an award of attorney's fees and costs under the Equal Access to Justice Act. The Commissioner did not oppose the requested award.
STANDARD OF REVIEW	The court reviewed the record to determine whether the requested fee and cost amounts were reasonable.
PRECEDENTIAL VALUE	unknown
PARTIES	Teri Vonne Green v. Frank J. Bisignano, Commissioner of the Social Security Administration

TOPICS

- attorney fees
- costs
- administrative law
- remedies
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the prevailing party was entitled to the requested attorney's fees and costs under the Equal Access to Justice Act.
2. Whether any later award of attorney's fees under 42 U.S.C. § 406(b)(1) would require the attorney to refund the smaller fee amount to the claimant.

HOLDINGS

1. The court held that Green, as the prevailing party, was entitled to the requested \$8,772.00 in attorney's fees and \$405.00 in costs because the amounts were reasonable and the Commissioner did not oppose the award.
2. If Green's attorney is later awarded fees under 42 U.S.C. § 406(b)(1), the attorney must refund the smaller fee amount to Green.

KEY QUOTATIONS

“Except as otherwise specifically provided by statute, a court shall award to a prevailing party other than the United States fees and other expenses, in addition to any costs awarded pursuant to subsection (a), incurred by that party in any civil action (other than cases sounding in tort)[.]” (at 2)

“The EAJA therefore permits attorney’s fees reimbursement to financially eligible prevailing parties, who make a proper application, and not to their attorneys.” (at 2)

FACTUAL BACKGROUND

Teri Vonne Green was the prevailing party in an action under the Social Security Act. She requested \$8,772.00 in attorney's fees and \$405.00 in costs under the Equal Access to Justice Act, and the Commissioner did not oppose the requested amounts.

PROCEDURAL HISTORY

After prevailing in the underlying action, Green sought \$8,772.00 in attorney's fees and \$405.00 in costs under the EAJA. The district court found the requested amounts reasonable, granted the unopposed motion, and ordered the Government to pay the award and costs to Green.

DISPOSITION

other

CASES CITED

- Manning v. Astrue, 510 F.3d 1246, 1251 (10th Cir. 2007)
- Weakley v. Bowen, 803 F.2d 575, 580 (10th Cir. 1986)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA TERI VONNE GREEN,) Plaintiff,)) vs.)) FRANK J. BISIGNANO,) Case No. CIV-25-372-GLJ Commissioner of the Social) Security Administration,)) Defendant.)
OPINION AND ORDER Claimant, Teri Vonne Green, is the prevailing party in this action under the Social Security Act. Claimant seeks reimbursement of an award of attorney's fees in the amount of \$8,772.00 and costs in the amount of \$405.00, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) [Docket Nos. 16 & 17].

The Commissioner does not oppose an award of attorney fees or costs in the amount requested [Docket No. 17]. Upon review of the record herein, the Court finds that the requested amount is reasonable, and that the Commissioner should be ordered to pay it to Claimant as the prevailing party herein. See 28 U.S.C. § 2412(d)(1)(A) ("Except as otherwise specifically provided by statute, a court shall award to a prevailing party other than the United States fees and other expenses, in addition to any costs awarded pursuant to subsection (a), incurred by that party in any civil action (other than cases sounding in tort)[.]"); see also *Manning v. Astrue*, 510 F.3d 1246, 1251 (10th Cir.

2007) ("The EAJA therefore permits attorney's fees reimbursement to financially eligible prevailing parties, who make a proper application, and not to their attorneys."). Accordingly, IT IS ORDERED that Plaintiff's Combined Unopposed Motion and Brief for Attorney's Fees Pursuant to the Equal Access to Justice Act [Docket No. 17] is hereby granted and that the Government is therefore ordered to pay the above-referenced fee award and costs to Claimant as the prevailing party herein.

IT IS FURTHER ORDERED that if Claimant's attorney is subsequently awarded any fees pursuant to 42 U.S.C. § 406(b)(1), said attorney shall refund the smaller amount of such fees to Claimant pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986). DATED this 3rd day of April, 2026. _ GERALD L. JACKSON UNITED STATES MAGISTRATE JUDGE 2