

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 10-376V

Filed: October 23, 2012

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CHRISTIAN WOESSNER,	*	UNPUBLISHED
	*	
Petitioner,	*	Attorneys' Fees and Costs; Reasonable
	*	Amount Requested to which Respondent
v.	*	Does Not Object
	*	
SECRETARY OF HEALTH	*	
AND HUMAN SERVICES,	*	
	*	
Respondent.	*	

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Diana Lynn Stadelnikas, Sarasota, FL, for petitioner.

Jennifer Reynaud, Washington, DC, for respondent.

### DECISION<sup>1</sup>

On June 18, 2010, Christian Woessner (“petitioner”), filed a petition seeking compensation under the National Vaccine Injury Compensation Program (“the Vaccine Program”).<sup>2</sup> Among the injuries petitioner alleged that he has suffered as a result of receiving the influenza vaccine on September 19, 2009, was Guillain-Barré Syndrome.

Based on the persuasive factors supporting petitioner’s vaccine claim and respondent’s election not to challenge petitioner’s claim, the undersigned issued a

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<sup>1</sup> Because this decision contains a reasoned explanation for the undersigned’s action in this case, the undersigned intends to post this ruling on the United States Court of Federal Claims’ website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction “of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b).

<sup>2</sup> National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755 (the “Act”). Hereinafter, for ease of citation, all “§” references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2006).

decision finding that petitioner is entitled to compensation under the Vaccine Program on October 15, 2012, and awarding damages. See Decision Awarding Damages.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). On October 23, 2012, petitioner's counsel filed a motion for attorneys' fees and costs in the amount of \$22,000.00, to which respondent's counsel did not object. Based on the reasonableness of petitioner's request and respondent's counsel's lack of objection to petitioner's counsel's fee request, the undersigned **GRANTS** petitioner's motion for approval and payment of attorneys' fees and costs. Per General Order No. 9 petitioner certifies that he has incurred no out of pocket expenses in this matter.

The undersigned awards a total of \$22,000.00 in attorneys' fees and costs. In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGEMENT** in petitioner's favor in the amount of \$22,000.00 in attorneys' fees and attorneys' costs. The judgment shall reflect that Diana L. Stadelnikas may collect \$22,000.00 from petitioner.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.<sup>3</sup>

**IT IS SO ORDERED.**

s/Patricia E. Campbell-Smith  
Patricia E. Campbell-Smith  
Chief Special Master

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<sup>3</sup> Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.