

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

DANIEL IRWIN,

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Petitioner,

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v.

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SECRETARY OF HEALTH
AND HUMAN SERVICES,

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Respondent.

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No. 11-174V

Special Master Christian J. Moran

Filed: August 17, 2012

Attorneys' fees and costs; award
in the amount to which respondent
does not object.

UNPUBLISHED DECISION ON FEES AND COSTS¹

Sammy M. Cacciatore, Nance, Cacciatore & Hamilton, Melbourne, FL, for Petitioner;
Linda S. Renzi, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Daniel Irwin filed an application for attorneys' fees and costs on August 16, 2012. The Court awards the amount to which respondent does not object.

Mr. Irwin claimed that the influenza vaccine caused an adverse reaction and received compensation based upon the parties' stipulation. Decision, filed July 6, 2012. Because Mr. Irwin received compensation, he is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Mr. Irwin seeks a total of **\$7,562.95** in attorneys' fees and costs for petitioner's counsel. Additionally, Mr. Irwin filed a statement of costs in compliance with General Order No. 9, stating that he incurred no litigation expenses while pursuing this claim. Respondent stated that she had no objection to this application for attorneys' fees and costs.

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

After reviewing the request, the court awards a check made payable to petitioner and petitioner's attorney in the amount of **\$7,562.95** for attorneys' fees and other litigation costs. The court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.