

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

**OFFICE OF SPECIAL MASTERS**

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SUSAN KREIDER,

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No. 99-426V

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Special Master Christian J. Moran

Petitioner,

\*

\*

v.

\*

Filed: August 22, 2008

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SECRETARY OF HEALTH  
AND HUMAN SERVICES,

\*

Attorneys' fees and costs, amount

\*

to which Respondent has not

\*

objected

Respondent.

\*

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**UNPUBLISHED DECISION ON ATTORNEYS' FEES AND COSTS<sup>1</sup>**

Anne C. Toale, Esq., Maglio, Christopher & Toale, Sarasota, F.L., for Petitioner;  
Ryan D. Pyles, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner, Susan Kreider, seeks reimbursement for attorneys' fees and costs. She is awarded the amount to which respondent has not objected.

On July 7, 2008, Ms. Kreider filed a motion detailing her claim for attorneys' fees and costs. Apparently, negotiations followed. On August 22, 2008, respondent filed his response, outlining that Ms. Kreider's attorneys agreed to decrease their request and respondent, in turn, agreed not to oppose the amount requested.

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<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002).

All decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, the person submitting the information has 14 days to identify and to move to delete such information before the document's disclosure. If the special master agrees that the identified material fits within the categories listed above, the special master shall redact such material from public access. 42 U.S.C. § 300aa-12(d)(4)(B); Vaccine Rule 18(b).

A review of the materials offered in support of the motion for attorneys' fees and costs indicates that the reduced amounts are reasonable. Therefore, Ms. Kreider is awarded the amount to which respondent did not object. This amount includes the following items:

Mr. Shoemaker's fees and costs	\$19,626.58
Maglio, Christopher & Toale's fees and costs	\$83,752.76
Ms. Kreider's costs	\$2,347.24
TOTAL	\$105,726.58

The Clerk shall enter judgment accordingly.<sup>1</sup>

IT IS SO ORDERED.

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S/ Christian J. Moran  
Christian J. Moran  
Special Master

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<sup>1</sup> 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.