

# In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 09-0696V

Filed: June 1, 2011

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MAHER GIRGIS,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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UNPUBLISHED

Attorneys' Fees and Costs;  
Reasonable Amount Requested  
to Which Respondent Does Not  
Object

F. John Caldwell, Jr., Sarasota, FL, for petitioner.

Glenn A. MacLeod, Washington, DC, for respondent.

## DECISION<sup>1</sup>

On October 14, 2009, Maher Girgis (“petitioner”), filed a petition for compensation alleging that he suffered certain injuries as a result of receiving a vaccination. Among the injuries petitioner alleged that he has suffered as a result of receiving a trivalent influenza vaccination was Guillain-Barré syndrome. He sought an award under the National Vaccine Injury Compensation Program, National Vaccine

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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 decision on the United States Court of Federal Claims’ website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). 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). Otherwise, “the entire” decision will be available to the public. Id.

Injury Compensation Program<sup>2</sup> (the Act or the Program). 42 U.S.C. §§ 300aa-1 to -34 (2006).

On April 25, 2011, counsel for both parties filed a stipulation, stating that a decision should be entered awarding compensation and the undersigned issued a decision pursuant to that agreement on April 26, 2011.

On May 17, 2011, respondent's counsel filed a Stipulation of Fact for Attorneys' Fees and Costs. See Stipulation for Attorneys' Fees and Costs.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of the amount of attorneys' fees and costs to which the parties were able to stipulate, the undersigned **GRANTS** petitioner's counsel's application for attorneys' fees and costs. Pursuant to General Order No. 9, petitioner's counsel represents that petitioner incurred no out-of-pocket expenses in proceeding on the petition.

The undersigned awards a total of \$13,276.22 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 JUDGMENT in petitioner's favor in the amount of \$13,276.22 in attorneys' fees and attorneys' costs. The judgment shall reflect that the Maglio, Christopher & Toale Law Firm may collect \$13,276.22 from petitioner.**

**IT IS SO ORDERED.**

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

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<sup>2</sup> The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-1 to -34 (2006) (Vaccine Act or the Act). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C.A. § 300aa.