

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**

(Filed: March 2, 2011)

DEAN and AMEE SAUER,	)	
legal representatives of a minor child,	)	
TIMOTHY SAUER,	)	
	)	
Petitioners,	)	Joint Stipulation Regarding
	)	Attorneys' Fees and Costs;
	)	Omnibus Autism Proceeding
	)	
v.	)	
	)	
SECRETARY OF THE DEPARTMENT OF	)	No. 04-1379V
HEALTH AND HUMAN SERVICES,	)	
	)	
Respondent.	)	
	)	

**DECISION**<sup>1</sup>

On August 25, 2004, petitioners filed a claim for compensation on behalf of their son, Timothy, in the National Vaccine Injury Compensation Program (“the Program”). This case was originally assigned to and developed in accordance with the orders issued by Special Master John Edwards. Upon the realization that Timothy had received a diagnosis of an autism spectrum disorder, the case was reassigned to Special Master Hastings on December 4, 2006, for inclusion in the Omnibus Autism Proceeding (OAP). No further activity occurred in this case until September 2010.

On September 2, 2010, petitioners filed a Motion for a Decision dismissing their Petition. The undersigned issued a decision in this case on September 14, 2010.

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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.

On February 23, 2011, counsel for both parties filed a stipulation. The parties stipulated that petitioners' counsel should receive a lump sum of \$30,732.26 in the form of a check payable to petitioners and petitioners' attorney, John Christopher Mullen, Jr., for attorneys' fees and costs. This amount represents a sum to which respondent does not object. In accordance with General Order No. 9, petitioners represent that they incurred no out-of-pocket expenses in proceeding on the petition.

The undersigned approves the requested amount for attorneys' fees and costs as reasonable. Accordingly, an award should be made in the form of a check payable jointly to petitioners and John Christopher Mullen, Jr., in the amount of \$30,732.26. In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.<sup>2</sup>

IT IS SO ORDERED.

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Patricia Campbell-Smith  
Special Master

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<sup>2</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.