

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

No. 07-121V

Filed: February 5, 2009

NOT TO BE PUBLISHED

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KEVIN ORLANDO

Petitioner,

v.

SECRETARY OF THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

Respondent.

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Stipulation; Attorney's Fees and Costs

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

On February 4, 2009, the parties filed a Stipulation of Fact for Attorney's Fees and Costs. In compliance with General Order #9 petitioner's counsel represents that petitioner incurred \$819.30 in petitioner's costs. Id. The parties request a decision awarding a total amount of \$26,819.30 in attorney's fees and costs, which includes petitioner's costs. Id.

After reviewing the request, the court finds that an award in the amount of **\$26,819.30** in attorney's fees and costs to be reasonable. The court thanks the parties for their cooperative efforts in resolving this matter.

Accordingly, pursuant to Vaccine Rule 13, petitioner is hereby awarded a **total of \$ 26,819.30 in attorney's fees and costs.** The judgment shall reflect that petitioner is awarded \$819.30 for his costs in a check made payable to petitioner and petitioner is awarded \$ 26,000.00 for his counsel's fees and costs in a check made payable jointly to petitioner and his counsel. The

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<sup>1</sup>The undersigned intends to post this decision 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). 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 trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and 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.

Clerk is directed to enter judgment according to this decision.<sup>2</sup>

**IT IS SO ORDERED.**

s/ Gary J. Golkiewicz  
Gary J. Golkiewicz  
Chief Special Master

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<sup>2</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.

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No. 07-121V  
CHIEF SPECIAL MASTER  
GARY GOLKIEWICZ

STIPULATION OF FACT FOR ATTORNEY’S FEES AND COSTS

WHEREFORE, IT IS HEREBY STIPULATED by and between the parties that fees and reimbursement of litigation costs in the total amount of Twenty-Six Thousand Eight Hundred Nineteen and 30/100 Dollars (**\$26,819.30**), is reasonable and was necessarily incurred by petitioner in furtherance of the petition, and that said amount of compensation should be made payable jointly to petitioner and petitioner’s attorney of record pursuant to 42 U.S.C. § 300aa-15(e). In compliance with General Order #9, petitioner’s counsel hereby represents that of this amount, petitioner has incurred \$819.30 in out-of-pocket expenses in proceeding on the petition in this case.

Respectfully Submitted,

ATTORNEY OF RECORD FOR  
PETITIONER:

ATTORNEY OF RECORD FOR  
RESPONDENT:

/s/ ANNE C. TOALE  
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Dated: January 6, 2009

Dated: January 6, 2009