

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**  
**No. 12-766V**  
**(Not to be published)**

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\*  
ELEANOR D. HERNANDEZ, \*  
\*  
                                Petitioner, \*  
\*  
                                v. \*  
\*  
SECRETARY OF HEALTH AND \*  
HUMAN SERVICES \*  
\*  
                                Respondent. \*  
\*\*\*\*\*

Filed: September 24, 2013  
  
Decision on Attorney's  
Fees and Costs

**DECISION<sup>1</sup> (ATTORNEY FEES AND COSTS)**

In this case under the National Vaccine Injury Compensation Program,<sup>2</sup> I issued a decision on May 16, 2013. On September 23, 2013, the parties filed a stipulation concerning attorney's fees and costs in this matter. The parties' stipulation requests a total payment of \$9,700.00, representing attorney's fees and costs of \$9,200.00, and \$500.00 of costs expended by petitioner.

An award for fees and costs is appropriate at this time, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the proposed amounts seem reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

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<sup>1</sup> 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, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). 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.

<sup>2</sup> The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2006).

- a lump sum of \$9,200.00, in the form of a check payable jointly to petitioner and petitioner's counsel, Elizabeth M. Muldowney, on account of services performed by counsel's law firm.
- a lump sum of \$500.00, in the form of a check payable to petitioner, which represents petitioner's own litigation expenses in this case.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.

**IT IS SO ORDERED**

\_\_\_\_\_/s/ George L. Hastings, Jr.  
George L. Hastings, Jr.  
Special Master