

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 09-161 V

Filed: August 31, 2012

Not for Publication

\*\*\*\*\*

DUSTY GOLDEN \*  
and BRIDGET GOLDEN, \*  
legal representatives of a minor child, \*  
HAILEY GOLDEN, \*

Petitioners, \*

Attorneys' Fees & Costs based on Stipulation

v. \*

SECRETARY OF HEALTH \*  
AND HUMAN SERVICES, \*

Respondent. \*

\*\*\*\*\*

Daniel B. Graves, Tulsa, OK, for petitioners.  
Alexis B. Babcock, Washington, DC, for respondent.

**MILLMAN, Special Master**

### **DECISION AWARDING ATTORNEYS' FEES AND COSTS<sup>1</sup>**

On August 31, 2012, the parties filed a stipulation in which they agreed on an appropriate amount for attorneys' fees and costs in this case.

---

<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 Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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). Vaccine Rule 18(b) states that 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 constitute a clearly unwarranted invasion of privacy. When such a decision is filed, petitioners have 14 days to identify and move to redact such information prior to the document's disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall redact such material from public access.

In accordance with the General Order #9 requirement, petitioners state that they did not incur any costs to pursue their petition.

Petitioners initially submitted a draft application for attorneys' fees and costs to respondent. During informal discussions, respondent raised objections to certain items. Petitioners amended their application and now request \$36,335.00 in attorneys' fees and \$38,833.41 in costs to which respondent does not object. The undersigned finds this amount to be reasonable. Accordingly, the court awards **\$75,168.41**, representing reimbursement for attorneys' fees and costs. The award shall be in the form of a check made payable jointly to petitioners and Graves McLain PLLC, in the amount of **\$75,168.41**.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.<sup>2</sup>

**IT IS SO ORDERED.**

Dated: August 31, 2012

/s/ Laura D. Millman  
Laura D. Millman  
Special Master

---

<sup>2</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party's filing a notice renouncing the right to seek review.