

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 10-288 V

Filed: May 17, 2011

Not for Publication

MELINDA GUSTIN, Legal Representative *
of a Minor Child, JESSIE WEBB *

Petitioner, *

v. *

Attorneys' Fees & Costs
based on Stipulation

SECRETARY OF THE DEPARTMENT *
OF HEALTH AND HUMAN SERVICES, *

Respondent. *

Randall Knutson, Mankato, MN, for petitioner.
Ann D. Martin, Washington, D.C., for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On May 17, 2011, the parties filed the attached stipulation, in which they agreed to settle the attorneys' fees and costs in this case and described the settlement terms. In accordance with the General Order #9 requirements, petitioner states she incurred no costs to pursue her petition.

The court hereby adopts the parties' stipulation, and awards compensation in the amount and on the terms set forth therein. Pursuant to the stipulation, the court awards a total of **\$16,390.20**, representing reimbursement for Attorneys' Fees and Costs. The award shall be in the

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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, petitioner has 14 days to identify and move to delete 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 delete such material from public access.

form of one check made jointly payable to petitioner and Randall Knutson in the amount of **\$16,390.20.**

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.²

IT IS SO ORDERED.

Dated: May 17, 2011

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

² 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.

6. Nothing in this Stipulation, including the amounts set forth in paragraph 3, should be construed as an admission, concession, or waiver by either party as to any of the matters raised by petitioner's Application for Fees and Costs, including but not limited to the hourly rates requested and other litigation-related costs. Respondent states (without waiving any objections) that the total amount of compensation set forth in paragraph 3 is not an unreasonable amount to have been incurred for proceedings in this case.

Respectfully submitted,

ATTORNEY OF RECORD FOR
PETITIONER:

s/ Randall Knutson
RANDALL KNUTSON
Farrish Johnson Law Office
1907 Excel Drive
Mankato, MN 56001
(507) 625-2525

ATTORNEY OF RECORD FOR
RESPONDENT:

s/ Ann D. Martin
ANN D. MARTIN
Trial Attorney
Torts Branch, Civil Division
U.S. Department of Justice
P.O. Box 146
Benjamin Franklin Station
Washington, D.C. 20044-0146
(202) 307-1815

Dated: May 17, 2011