

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 10-293 V

Filed: February 14, 2011

Not to be published

CHRISTIANA NELSON and RICHARD NELSON,*
Natural Parents and Guardians for
AVERY NELSON, a minor,

Petitioners,

Attorneys' Fees and Costs
Based on Stipulation

v.

SECRETARY OF THE DEPARTMENT OF
HEALTH AND HUMAN SERVICES,

Respondent.

Thomas Gallagher, Somers Point, NJ, for petitioners.
Althea Davis, Washington, D.C., for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On February 11, 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, petitioners state they incurred \$1,929.91 in costs to pursue their petition. The court finds the amount requested by petitioners to be reasonable.

The court hereby adopts the parties' said stipulation, attached hereto, and awards compensation in the amount and on the terms set forth therein. Pursuant to the stipulation, 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¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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.

court awards **\$14,275.00**, representing reimbursement for attorneys' fees and costs. The award shall be in the form of one check made jointly payable to petitioners and the law firm of Gallagher and Gallagher in the amount of **\$14,275.00**. A second check, in the amount of **\$1,929.91**, shall be made payable solely to petitioners.

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: February 14, 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.