

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 09-818 V
Filed: May 25, 2011
Not for Publication

JAMES TROKSA,

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Petitioner

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Attorneys' Fees & Costs
based on Stipulation

v.

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SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES,

*

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*

Respondent.

*

Michael G. McLaren, Memphis, TN, for petitioner.
Linda S. Renzi, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On May 25, 2011 the parties filed the attached stipulation, in which they agreed to settle the attorneys' fees and costs in this case. Petitioner requests \$39,000.00 for attorneys' fees and costs in this case. Respondent does not object to this amount. The court finds the amount requested by petitioner to be reasonable.

In accordance with the General Order #9 requirements, petitioner states that no costs were incurred to pursue this petition.

The court hereby adopts the parties' stipulation and awards compensation in the amount set forth therein. Pursuant to the stipulation, the court awards **\$39,000.00**, representing

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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.

reimbursement for attorneys' fees and costs, in the form of a check made jointly payable to petitioner and the law firm Black McLaren Jones Ryland & Griffee, P.C.

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 25, 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.

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF THE SPECIAL MASTERS**

JAMES TROKSA,)	
)	
Petitioner,)	
)	No. 09-818V
v.)	Special Master Millman
)	ECF
SECRETARY OF HEALTH)	
AND HUMAN SERVICES,)	
)	
Respondent.)	

STIPULATION OF ATTORNEYS' FEES AND COSTS

1. Michael G. McLaren is counsel for petitioner in this case.
2. Petitioner filed an Application for Attorneys' Fees and Costs on or about February 24, 2011.
3. In informal discussions, respondent raised objections to certain items in petitioner's draft application. Based on these discussions, petitioner amended his Application for Attorneys' Fees and Costs in this matter to request reimbursement for attorneys' fees and costs in the amount of **\$39,000.00**. Respondent does not object.
4. Pursuant to General Order #9, petitioner has not incurred in costs in pursuit of his claim.
5. The parties now request that a decision awarding the final attorneys' fees and costs totaling **\$39,000.00** jointly payable to petitioner, James Troksa, and his counsel Michael G. McLaren be issued.

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Respectfully submitted,

For Petitioner:

For Respondent:

s/Michael G. McLaren
MICHAEL G. MCLAREN
Black, McLaren, Jones, Ryland & Griffiee
530 Oak Court Drive
Suite 360
Memphis, Tennessee 38117
Tel: (901) 762-0535

s/Linda S. Renzi
LINDA S. RENZI
Senior Trial Counsel
Torts Branch, Civil Division
U.S. Department of Justice
P.O. Box 146
Ben Franklin Station
Washington, D.C. 20044-0146
Tel: (202) 616-4133

DATED: May 25, 2011