

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS

MEREDITH A. BAMBALIS,	*	
	*	
Petitioner,	*	No. 09-543V
	*	Special Master Christian J. Moran
v.	*	
	*	Filed: October 5, 2012
SECRETARY OF HEALTH	*	
AND HUMAN SERVICES,	*	Attorneys' fees and costs; award
	*	in the amount to which
Respondent.	*	respondent does not object.

UNPUBLISHED DECISION¹

Anne C. Toale, Maglio Christopher and Toale, Sarasota, FL, for Petitioner;
Traci R. Patton, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Meredith A. Bambalis filed her initial application for attorneys' fees and costs on September 6, 2012. After discussions between the parties, petitioner filed her amended application for fees and costs on October 3, 2012. The Court awards the amount to which respondent has not objected.

Ms. Bambalis claimed that the Varicella vaccine caused her an adverse reaction and received compensation based upon the parties' stipulation. Decision, filed Aug. 29, 2012. Because Ms. Bambalis received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Ms. Bambalis seeks **\$109,501.80** in attorneys' fees and costs for petitioner's counsel. Ms. Bambalis also seeks **\$1,052.90** in attorneys' costs for her former counsel, Grace Tisdale & Clifton, P.C. Additionally, Ms. Bambalis filed a statement of costs in compliance with General Order No. 9, stating that she incurred **\$20.00** while pursuing this claim. Respondent stated that she had no objection to this application for attorneys' fees and costs.

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

After reviewing the request, the court awards the following:

1. A lump sum payment of **\$1,052.90** in the form of a check payable jointly to petitioner and Grace Tisdale & Clifton, P.C., for attorneys' costs; and
2. A lump sum payment of **\$109,501.80** jointly payable to petitioner and Maglio Christopher & Toale, P.A., for attorneys' fees and costs; and
3. A lump sum payment of **\$20.00** in the form of a check payable to petitioner for costs she incurred in pursuit of the petition.

The court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.