

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

H.H., by her parents, *
STACEY HANSEN and * No. 12-203V
GABRIEL HANSEN, * Special Master Christian J. Moran
*

Petitioners, *

v. * Filed: November 19, 2013
*

SECRETARY OF HEALTH *
AND HUMAN SERVICES, * Attorneys' fees and costs; award
* in the amount to which
* Respondent. * respondent does not object.
*

William E. Cochran, Jr., Black, McLaren, et al., Memphis, TN, for Petitioners;
Ryan D. Pyles, United States Department of Justice, Washington, D.C., for Respondent.

UNPUBLISHED DECISION¹

On November 6, 2013, respondent filed a stipulation of fact concerning final attorney's fees and costs in the above-captioned matter. Previously, petitioners informally submitted a draft application for attorneys' fees and costs to respondent for review. Upon review of petitioners' application, respondent raised objections to certain items. Based on subsequent discussions, petitioners amended their application to request \$ 25,112.62, an amount to which respondent does not object. The Court awards this amount.

On March 29, 2012, Stacey and Gabriel Hansen filed a petition for compensation on behalf of their daughter, H.H., alleging that the diphtheria-tetanus-acellular pertussis ("DTaP") and inactivated poliovirus ("IPV") vaccines, which H.H. received on or about

¹When the undersigned's August 1, 2013 decision issued, the parties were notified that the decision would be posted in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). Petitioners were also notified that they could seek redaction pursuant to § 300aa-12(d)(4)(B); Vaccine Rule 18(b). Petitioners made a timely request for redaction and that decision reissued with the name of the vaccinee redacted to initials. For this reason, this present decision has been redacted as well.

April 1, 2011, caused her to suffer an encephalopathy. Petitioners received compensation based upon the parties' stipulation. Decision, filed August 1, 2013. Because petitioners received compensation, they are entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Petitioners seek a total of **\$23,526.62** in attorneys' fees and costs for their counsel, and **\$1,586.00** for petitioners' out-of-pocket litigation expenses while pursuing this claim. Respondent has no objection to the amount requested for attorneys' fees and costs.

After reviewing the request, the Court awards the following:

- A. **A lump sum of \$23,526.62 in the form of a check made payable to petitioner and petitioner's attorney, William E. Cochran, Jr., of the law firm Black, McLaren et al., for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).**

- B. **A lump sum of \$ 1,586.00 in the form of a check made payable to petitioners, Stacey and Gabriel Hansen, as legal representatives of the Estate of H.H., for out-of-pocket litigation expenses.**

The Court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.²

Any questions may be directed to my law clerk, Mary Holmes, at (202) 357-6353.

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.