

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

ASHLEY HUBBARD and *
TODD HUBBARD *
Personal representative of the Estate of *
JUDE HUBBARD, Deceased, *

No. 11-14V
Special Master Christian J. Moran

Petitioner, *

Filed: October 16, 2012

v. *

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

Attorneys’ fees and costs; award
in the amount to which respondent
does not object.

Respondent. *

UNPUBLISHED DECISION ON FEES AND COSTS¹

Nicholas E. Bunch, White, Getgey & Meyer, Cincinnati, OH, for Petitioners;
Jennifer L. Reynaud, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioners Ashley Hubbard and Todd Hubbard, as personal representatives of the estate of Jude Hubbard (“Jude”) filed an application for attorneys’ fees and costs on October 12, 2012. The Court awards the amount to which respondent does not object.

Petitioners claimed that the diphtheria-tetanus-acellular pertussis, haemophilus influenza, inactivated polio, pneumococcal conjugate, hepatitis B, and rotavirus vaccines caused Jude’s death and received compensation based upon the parties’ stipulation. Decision, filed Oct. 15, 2012. 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 **\$17,126.85** in attorneys’ fees and costs for petitioner’s counsel. Additionally, petitioners filed a statement of costs in compliance with General Order No. 9,

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.

stating that they incurred no litigation expenses while pursuing this claim. Respondent stated that she had no objection to this application for attorneys' fees and costs.

After reviewing the request, the court awards a check made payable to petitioner and petitioner's attorney in the amount of **\$17,126.85** for attorneys' fees and other litigation costs. 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.