

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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REBECCA A SANCHEZ, \*

Petitioner, \*

v. \*

SECRETARY OF HEALTH AND HUMAN SERVICES, \*

Respondent. \*

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No. 10-124V  
Special Master Christian J. Moran

Filed: July 15, 2013

Attorneys' fees and costs; stipulation of fact; award in the amount to which respondent does not object

Franklin John Caldwell, Jr., Maglio Christopher & Toale, Sarasota, FL, for Petitioner;  
Althea Walker Davis, United States Department of Justice, Washington, DC, for Respondent.

### UNPUBLISHED DECISION ON FEES AND COSTS<sup>1</sup>

Petitioner, Rebecca Sanchez, filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter on July 11, 2013. Previously, Ms. Sanchez informally submitted a draft application for attorneys' fees and costs to respondent for review. Upon review of petitioner's application, respondent raised objections to certain items. In response, petitioner amended her application to request \$61,500.00, an amount to which respondent does not object. The Court awards this amount.

Ms. Sanchez filed a petition for compensation alleging that she was injured by the influenza vaccine she received on October 27, 2008. Ms. Sanchez received compensation based upon the parties' stipulation. Decision, filed Feb. 27, 2013. Because Ms. Sanchez received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Ms. Sanchez seeks a total of **\$61,500.00** in attorneys' fees and costs for her counsel. According to the parties' stipulation, petitioner incurred no out-of-pocket litigation expenses

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<sup>1</sup> 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.

while pursuing this claim.<sup>2</sup> Respondent has no objection to the amount requested 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 **\$61,500.00** 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.<sup>3</sup>

**IT IS SO ORDERED.**

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

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<sup>2</sup> Petitioner's statement in compliance with General Order #9, along with documentation supporting her application for attorneys' fees and costs, was submitted to the court informally on July 11, 2013.

<sup>3</sup> 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.