

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

\*\*\*\*\*

DEBORAH WANASELJA, \*

Petitioner, \*

v. \*

SECRETARY OF HEALTH AND HUMAN SERVICES, \*

Respondent. \*

\*\*\*\*\*

No. 12-495V  
Special Master Christian J. Moran

Filed: September 9, 2013

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

Andrew D. Downing, Hennelly & Steadman, P.C., Phoenix, AZ, for Petitioner;  
Gordon E. Shemin, United States Department of Justice, Washington, D.C., for Respondent.

### UNPUBLISHED DECISION ON FEES AND COSTS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

Respondent filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter on September 6, 2013. Petitioner informally submitted an amended application for attorneys' fees and costs ("Application") to respondent, requesting \$38,000.00 for attorneys' fees and costs. In compliance with General Order #9, petitioner states that she incurred \$920.42 in out-of-pocket litigation costs. Respondent does not object to the total amount requested by petitioner—\$38,920.42. The Court awards this amount.

Petitioner filed her petition on August 7, 2012, and was awarded compensation on August 26, 2013. Judgment entered on September 6, 2013. Because petitioner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Petitioner seeks a total of **\$38,920.42** in attorneys' fees and costs for her counsel. Respondent has no objection to the amount requested for attorneys' fees and costs.

---

<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.

After reviewing the request, the Court awards the following:

- A. A lump sum of \$22,366.57 in the form of a check jointly payable to petitioner, petitioner's attorney, Andrew D. Downing, and Rhodes, Hieronymus, Jones, Tucker & Gable;<sup>2</sup>**
- B. A lump sum of \$15,633.43 in the form of a check jointly payable to petitioner, petitioner's attorney, Andrew D. Downing, and Hennelly & Steadman PLC; and**
- C. A lump sum of \$920.42 in the form of a check payable to petitioner.**

The Clerk shall enter judgment accordingly.<sup>3</sup>

**IT IS SO ORDERED.**

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

---

<sup>2</sup> Petitioner's counsel changed law firms while this case was pending. Thus, the award reflects work performed by Mr. Downing while at the law firm of Rhodes, Hieronymus, Jones, Tucker & Gable.

<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.