

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. [Redacted] V

Originally Filed: February 25, 2010

Filed Redacted: February 26, 2010

Not for Publication

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JANE DOE 55,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

\*\*\*\*\*

Attorneys' Fees and Costs

Anne C. Toale, Sarasota, FL, for petitioner.  
Catherine E. Reeves, Washington, DC, for respondent.

**MILLMAN, Special Master**

**DECISION AWARDING ATTORNEY'S FEES AND COSTS<sup>1</sup>**

On February 24, 2010, petitioner filed a stipulation of fact concerning attorneys' fees and costs. Petitioner informally submitted her initial Attorneys' Fees and Costs application to respondent on January 28, 2010. The parties now agree on the requested amount for the attorney of record, Anne C. Toale, of \$85,000.00 in attorney's fees and \$61,565.41 in attorney's costs. Petitioner also requests compensation for the previous attorney on this case, Clifford J. Shoemaker, in the amount of \$9,677.80 in fees and \$742.30 in costs. Respondent has no objection to this request.

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<sup>1</sup> The Court encourages the parties to review Vaccine Rule 18, which affords each party 14 days to object to disclosure of (1) trade secrets or commercial or financial information that is privileged or confidential, or (2) medical information that would constitute "a clearly unwarranted invasion of privacy."

In compliance with General Order #9, petitioner states that she has incurred \$4,311.84 in litigation costs in this matter. The court finds the amount requested by petitioner to be reasonable.

The clerk shall enter judgment for petitioner and shall direct that the award be in the form of checks made payable to:

- 1) Petitioner and Ms. Anne C. Toale in the amount of **\$146,565.41**;
- 2) Petitioner and Mr. Clifford J. Shoemaker in the amount of **\$10,420.10**; and
- 3) Petitioner in the amount of **\$4,311.84**.

The total amount of the award for attorneys' fees and costs in this case is **\$161,297.35**.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.<sup>2</sup>

**IT IS SO ORDERED.**

Dated: February 25, 2010

/s/ Laura D. Millman  
Laura D. Millman  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party's filing a notice renouncing the right to seek review.