

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. [REDACTED] V

Originally Issued: September 28, 2010

Filed Redacted: September 30, 2010

Not for Publication

JANE DOE 89,

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Petitioner,

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v.

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Attorneys' Fees and Costs

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SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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Altom M. Maglio, Sarasota, FL, for petitioner.

Darryl R. Wishard, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On September 27, 2010, petitioner filed an unopposed application for attorneys' fees and costs. Petitioner requests a total of **\$75,040.86** in attorneys' fees and costs, consisting of **\$37,000.00** in attorneys' fees and **\$38,040.86** in attorneys' costs. Respondent agrees not to object to an award of fees and costs in the amount of **\$75,040.86**. In compliance with General Order #9, petitioner states that she has not incurred any expenses. The court finds the amount requested by

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). Vaccine Rule 18(b) states that all decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would constitute a clearly unwarranted invasion of privacy. When such a decision is filed, petitioner has 14 days to identify and move to delete such information prior to the document's disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall delete such material from public access. This decision is being redacted because of petitioner's September 29, 2010, motion to redact which was granted.

petitioner to be reasonable.

The court hereby adopts the parties' said stipulation, attached hereto, and awards compensation in the amount and on the terms set forth therein. Pursuant to the stipulation, the court awards a total of **\$75,040.86**, representing reimbursement for attorneys' fees and costs. The award shall be in the form of one check made jointly payable to petitioner and the law firm Maglio Christopher & Toale in the amount of **\$75,040.86**.

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.²

IT IS SO ORDERED.

Dated: September 30, 2010

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

² 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.