

OFFICE OF SPECIAL MASTERS

No. 95-706V

Filed: July 12, 2005

DILEMA MORENO,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN
SERVICES,

Respondent.

Unpublished
Posted¹

DECISION (ATTORNEYS' FEES)

HASTINGS, Special Master.

On July 11, 2005, the petitioner submitted a motion for attorneys' fees, seeking an award of fees and costs incurred in this case filed under the National Vaccine Injury Compensation Program. The motion seeks a total of \$68,653.82 and indicates that respondent has no objection. Counsel for respondent confirmed with my law clerk by telephone that respondent has no objection to such an award of attorneys' fees and costs in the following amounts:

- \$ 59,285.75 in legal fees; and
- \$ 9,368.07 in costs borne by petitioner's counsel.

The total figure of \$68,653.82 seems reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

A lump sum of \$ 68,653.82, in the form of a check payable jointly to petitioner and petitioner's counsel.

In the absence of a timely-filed motion for review of this Decision (see Appendix B, Rules of the United States Court of Federal Claims), the clerk shall enter judgment in accordance herewith.

George L. Hastings, Jr.
Special Master

¹Because this document contains a reasoned explanation for my action in this case, I intend to post this order on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). Therefore, as provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, this entire document will be available to the public. *Id.*