

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS

No. 08-0649V

Filed: July 15, 2011

* * * * *
AMANDA FOSTER,

 Petitioner,

 v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

 Respondent.
* * * * *

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* UNPUBLISHED
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* Attorneys’ Fees and Costs;
* Reasonable Amount Requested
* to Which Respondent Does
* Not Object
*
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*

Michael McLaren, Memphis, Tennessee, for petitioner.

Alexis Babcock, Washington, DC, for respondent.

STIPULATED ATTORNEYS’ FEES AND COSTS DECISION¹

On September 15, 2008, Amanda Foster (“petitioner”), filed a petition for compensation alleging that she suffered certain injuries as a result of receiving a

¹ Because this decision contains a reasoned explanation for the undersigned’s action in this case, the undersigned intends to post this decision 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). 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 a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). Otherwise, the entire decision will be available to the public. Id.

vaccination. Among the injuries petitioner alleged that she has suffered as a result of receiving a meningococcal vaccination was a conversion disorder. She sought an award under the National Vaccine Injury Compensation Program, National Vaccine Injury Compensation Program² (the Act or the Program). 42 U.S.C. §§ 300aa-1 to -34 (2006).

On April 20, 2011, counsel for both parties filed a stipulation, stating that a decision should be entered awarding compensation, and the undersigned issued a decision pursuant to that agreement on June 1, 2011.

On July 13, 2011, respondent's counsel filed a Stipulation of Fact for Attorneys' Fees and Costs. See Stipulation for Attorneys' Fees and Costs.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of the amount of attorneys' fees and costs to which the parties were able to stipulate, the undersigned **GRANTS** petitioner's counsel's application for attorneys' fees and costs. Pursuant to General Order No. 9, petitioner's counsel represents that petitioner incurred no out-of-pocket expenses in proceeding on the petition.

The undersigned awards a total of \$28,625.55 in attorneys' fees and costs.³ In the absence of a motion for review filed pursuant to RCFC Appendix B, **the clerk of the court SHALL ENTER JUDGMENT in petitioner's favor in the amount of \$28,625.55 in attorneys' fees and petitioner's costs. The judgment shall reflect that the Black, McLaren, Jones, Ryland and Griffie Law Firm may collect \$28,625.55 from petitioner.**⁴

IT IS SO ORDERED.

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-1 to -34 (2006) (Vaccine Act or the Act). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C.A. § 300aa.

³ This amount contemplates \$14,045.40 in attorneys' fees and \$14,580.05 in attorneys' costs. Petitioner incurred no out-of-pocket expenses pursuant to General Order No. 9.

⁴ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.

s/Patricia E. Campbell-Smith
Patricia E. Campbell-Smith
Chief Special Master