

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 10-686V

(E-Filed: July 15, 2013)

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LOIS J. BANKS

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN SERVICES,

Respondent.

* * * * *

* UNPUBLISHED
*
* Special Master
* Hamilton-Fieldman
*
* Joint Stipulation Regarding Attorney’s
* Fees and Costs; Reasonable Amount
* Requested to Which Respondent Does
* Not Object
*
*

Isaiah R. Kalinowski, Washington, DC, for Petitioner

Lisa A. Watts, Washington, DC, for Respondent

FINAL ATTORNEY’S FEES AND COSTS DECISION¹

On October 13, 2010, Petitioner, Lois J. Banks, filed a petition seeking compensation under the National Vaccine Injury Compensation Program (“the Vaccine Program”). On July 11, 2013, the parties filed a stipulation, detailing an amount to be awarded to Petitioner. That same day, the undersigned issued a decision finding the parties’ stipulation to be reasonable and granting Petitioner the award outlined by the

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, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). 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.

stipulation.

Also on July 11, 2013, counsel for both parties filed another joint stipulation, this time in regards to attorney's fees and costs. The parties stipulated that Petitioner's counsel should be awarded a sum of \$37,001.36, to cover attorney's fees and costs. Contained in the attorney's fees and costs stipulation was a statement in conformity with General Order #9, stating that Petitioner had incurred no costs in litigating her claim. The stipulated amount represents a sum to which Respondent does not object.

The undersigned approves the requested amount for attorney's fees and costs as reasonable. **Accordingly, an award should be made in the form of a check payable jointly to Petitioner and Petitioner's counsel, Isaiah Kalinowski, Esq., in the amount of \$37,001.36. The check should be forwarded to the main office of Maglio, Christopher, & Toale, located at 1605 Main Street, Suite 710, Sarasota, Florida 34236.** In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.²

IT IS SO ORDERED.

s/Lisa Hamilton-Fieldman
Lisa Hamilton-Fieldman
Special Master

² Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.