

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 10-419V

Filed: November 7, 2011

_____)	
STEWART CLAY, JR.)	
)	NOT TO BE PUBLISHED
Petitioner,)	
)	
v.)	Stipulation; attorneys' fees and
)	costs; award in the amount to
SECRETARY OF)	which respondent does not object
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	
_____)	

Anne C. Toale, Maglio Christopher & Toale, Sarasota, F.L., for Petitioner;
Lisa A. Watts, United States Dep't of Justice, Washington, D.C., for Respondent.

DECISION ON FEES AND COSTS¹

LORD, Special Master.

On November 1, 2011, the parties in the above-captioned case filed a Stipulation memorializing their agreement as to the appropriate amount of attorneys' fees and costs in this case. After informal discussions with Respondent, Petitioner, Stewart Clay, Jr., requests a total award of \$19,958.51 in attorneys' fees and costs. In accordance with General Order #9, Petitioner's counsel represents that Petitioner incurred no personal litigation costs. Respondent does not object to this request. Id.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300aa-15(e). After reviewing the request, the court finds the stipulated amount of \$15,954.50 in attorneys' fees and \$4,004.01 in costs to be reasonable. Based on the request's reasonableness, the undersigned **GRANTS** the parties' request as outlined in the Stipulation.

Accordingly, pursuant to Vaccine Rule 13, Petitioner is awarded a total of **\$19,958.51** in attorneys' fees and costs. The judgment shall reflect that Petitioner is awarded attorneys' fees and costs as follows:

¹ In accordance with Vaccine Rule 18(b), petitioner has 14 days to file a proper motion seeking redaction of medical or other information that satisfies the criteria in 42 U.S.C. § 300aa-12(d)(4)(B). Redactions ordered by the special master, if any, will appear in the document as posted on the United States Court of Federal Claims' website.

**in a check made payable jointly to Petitioner and Petitioner's counsel
in the amount of \$19,958.51.**

The court thanks the parties for their cooperative efforts in resolving this matter. In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment accordingly.²

IT IS SO ORDERED.

s/ Dee Lord
Dee Lord
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.