

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 09-718 V

Filed: March 15, 2011

Not For Publication

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DELORES HARMAN,

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Petitioner,

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Attorneys' Fees and Costs

v.

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SECRETARY OF THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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Jon C. Abernathy, Indianapolis, IN, for petitioner.

Alexis Babcock, Washington, D.C., for respondent.

**MILLMAN, Special Master**

### **DECISION AWARDING ATTORNEYS' FEES AND COSTS<sup>1</sup>**

On January 21, 2011, Petitioner filed a motion for attorneys' fees and costs, requesting \$25,504.00 in fees, and \$10,562.64 in expenses, for a total of \$36,066.64.

In accordance with the General Order #9 requirements, Petitioner states that she did not incur or pay any of the expenses related to the claim.

Respondent does not object to the amount of attorneys' fees and costs Petitioner requested. The court also finds the amount requested by Petitioner to be reasonable.

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<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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.

The court hereby awards a total of **\$36,066.64**, in the form of one check made payable jointly to Petitioner and the law firm of Goodin Abernathy, LLP.

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.<sup>2</sup>

**IT IS SO ORDERED.**

Dated: March 15, 2011

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

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<sup>2</sup> 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.