

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

**OFFICE OF SPECIAL MASTERS**

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MATTHEW NEYENS,

\*

No. 03-868V

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Petitioner,

\*

Special Master Christian J. Moran

\*

v.

\*

Filed: April 22, 2009

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SECRETARY OF HEALTH  
AND HUMAN SERVICES,

\*

\*

attorneys' fees and costs, award in  
the amount to which respondent has  
not objected.

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Respondent.

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**ATTORNEYS' FEES AND COSTS DECISION\***

Petitioner, Matthew Neyens, filed an application for attorneys' fees and costs on March 7, 2009. He is awarded the amount to which respondent has not objected.

Mr. Neyens has reduced his initial request to a total of **\$38,000.00** in attorneys' fees and costs. Additionally, Mr. Neyens filed a statement of costs in compliance with General Order No. 9, stating that he incurred **\$1,113.00** in litigation costs. Respondent stated that he had no objection to the requested amount for attorneys' fees and costs.

After reviewing the request, the court awards **\$39,113.00** in attorneys' fees and other litigation costs. Those fees and costs are awarded as follows:

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\* Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of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).

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 clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, a party has 14 days to identify and to move to delete such information before 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. 42 U.S.C. § 300aa-12(d)(4); Vaccine Rule 18(b).

**A lump sum of \$38,000.00 in the form of a check payable to petitioner and petitioner's attorney, Clifford J. Shoemaker of Shoemaker & Associates.**

**A lump sum of \$1,113.00 in the form of a check payable to Petitioner only.**

The court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.<sup>1</sup>

**IT IS SO ORDERED.**

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S/ Christian J. Moran

Christian J. Moran  
Special Master

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<sup>1</sup> 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.