

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

\* \* \* \* \*

MICHAEL MCPHERSON, \*

Petitioner, \*

v. \*

SECRETARY OF HEALTH AND HUMAN SERVICES, \*

Respondent. \*

\* \* \* \* \*

No. 11-892V  
Special Master Christian J. Moran

Filed: July 21, 2014

Attorneys' fees and costs; award  
in the amount to which  
respondent does not object.

Michael Andrew London, Douglas & London, P.C. New York, NY, for Petitioner;  
Ann Donohue Martin, U.S. Dep't of Justice, Washington, DC, for Respondent.

### UNPUBLISHED DECISION ON FEES AND COSTS<sup>1</sup>

On July 17, 2014, respondent filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter. Previously, petitioner informally submitted a draft application requesting \$12,364.18 for attorneys' fees and costs to respondent for review. Respondent found petitioner's application to be reasonable. The Court awards this amount.

On December 21, 2011, Michael McPherson filed a petition for compensation alleging that the influenza vaccine, and/or the hepatitis B vaccine, which he received on September 16 and September 25, 2009, respectively, caused him to suffer acute transverse myelitis and sequela. Petitioner received compensation based upon the parties' stipulation. Decision, filed Jan. 10, 2014. Because petitioner received compensation, he is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

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<sup>1</sup> The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

Petitioner seeks a total of **\$12,364.18** in attorneys' fees and costs for his counsel. Additionally, in compliance with General Order No. 9, petitioner states that he did not incur any in out-of-pocket litigation expenses while pursuing this claim. Respondent has no objection to the amount requested for attorneys' fees and costs.

After reviewing the request, the Court awards the following:

**A lump sum of \$12,364.18 in the form of a check made payable to petitioner and petitioner's attorney, Michael Andrew London, for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).**

The Court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.

Any questions may be directed to my law clerk, Mary Holmes, at (202) 357-6353.

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master