

# In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: March 14, 2014

No. 12-814V

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JAY VANDEGRIFT,	*	UNPUBLISHED
	*	
	*	Special Master Dorsey
	*	
Petitioners,	*	Attorneys' Fees and Costs; Decision;
	*	Stipulation.
v.	*	
	*	
SECRETARY OF HEALTH	*	
AND HUMAN SERVICES,	*	
	*	
Respondent.	*	
* * * * *	*	

Lawrence R. Cohan, Anapol, Schwartz, et al., Philadelphia, PA, for Petitioner.  
Julia McNerny, United States Department of Justice, Washington, DC, for Respondent.

## **DECISION<sup>1</sup> (ATTORNEY FEES AND COSTS)**

In this case under the National Vaccine Injury Compensation Program,<sup>2</sup> Special Master Dorsey issued a Decision on December 13, 2013. On March 13, 2014, the parties filed a stipulation concerning attorney's fees and costs in this matter. The parties'

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<sup>1</sup> 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 trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and 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.*

<sup>2</sup> The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2006).

stipulation requests a payment of \$29,322.64, in attorneys' fees and costs. In compliance with General Order # 9, Petitioner filed a statement, indicating that he incurred no out-of-pocket expenses.

The undersigned finds that this petition was brought in good faith and that there exists a reasonable basis for the claim. Therefore, an award for fees and costs is appropriate, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). The undersigned finds said stipulation reasonable and adopts it as the decision of the Court in awarding attorneys' fees and costs, on the terms set forth therein.

I hereby award the lump sum of \$29,322.64, for attorneys' fees and costs, in the form of a check payable jointly to Petitioner and Petitioner's counsel, Lawrence R. Cohan, Esq.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.

**IT IS SO ORDERED.**

s/Nora Beth Dorsey  
Nora Beth Dorsey  
Special Master