

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS

SAMUEL HUSSEY,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

* No. 14-56V
* Special Master Christian J. Moran
*
* Filed: June 26, 2015
*
* Attorneys' fees and costs; award
* in the amount to which respondent
* does not object.

Amber D. Wilson, Maglio, Christopher & Toale, Washington, DC, for Petitioner;
Alexis Babcock, U.S. Dep't of Justice, Washington, DC, for Respondent.

UNPUBLISHED DECISION ON FEES AND COSTS¹

On June 23, 2015, respondent filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter. Previously, petitioner informally submitted a draft application for attorneys' fees and costs to respondent for review. Upon review of petitioner's application, respondent raised objections to certain items. Based on subsequent discussions, petitioner amended his application to request \$36,582.96, an amount to which respondent does not object. The Court awards this amount.

On January 24, 2014, Samuel Hussey filed a petition for compensation alleging that the influenza and Hepatitis B ("Hep B") vaccines which he received caused him to suffer from Guillain-Barré Syndrome ("GBS"). Petitioner received compensation based upon the parties' stipulation. Decision, issued March 12, 2015. Because petitioner received compensation, he is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

¹ 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 **\$36,582.96**, in attorneys' fees and costs for her counsel. Additionally, in compliance with General Order No. 9, petitioner states that he incurred no 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 \$36,582.96, in the form of a check made payable to petitioner and petitioner's attorney, Amber D. Wilson, Esq., Maglio, Christopher & Toale, PA, 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, Christina Gervasi, at (202) 357-6360.

IT IS SO ORDERED.

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