

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 10-123 V

Filed: August 31, 2012

Not for Publication

CHERI D. GREEN, *
as personal representative of the Estate of *
JOSEPH BEATTY, *

Petitioner, *

Attorneys' Fees & Costs based on Stipulation

v. *

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

Respondent. *

F. John Caldwell, Sarasota, FL, for petitioner.
Glenn A. MacLeod, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On August 31, 2012, the parties filed a stipulation in which they agreed on an appropriate amount for attorneys' fees and costs in this case.

In accordance with the General Order #9 requirement, petitioner states that she did not incur any costs to pursue her petition.

Petitioner initially submitted a draft application for attorneys' fees and costs to respondent. During informal discussions, respondent raised objections to certain items. Petitioner amended her application and now requests \$35,654.21 in attorneys' fees and costs to which respondent does not object. The undersigned finds this amount to be reasonable. Accordingly, the court awards **\$35,654.21**, representing reimbursement for attorneys' fees and costs. The award shall be in the

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal

form of a check made payable jointly to petitioner and Maglio Christopher & Toale, PA, in the amount of **\$35,654.21**.

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.²

IT IS SO ORDERED.

Dated: September 4, 2012

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

² 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.