

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 09-637 V

Filed: June 14, 2011

Not for Publication

RAYMOND DELOACH,

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Petitioner,

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Attorneys' Fees and Costs
based on Stipulation

v.

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SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES,

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*

Respondent.

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*

Donald P. Edwards, Atlanta, GA, for petitioner.

Linda S. Renzi, Washington, D.C., for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On June 14, 2011, the parties filed the attached stipulation in which they agreed to settle the attorneys' fees and costs in this case. Petitioner has amended his initial application and now requests **\$34,500.00** for attorneys' fees and costs in this case. Respondent does not object. In accordance with General Order #9, petitioner's counsel avers that petitioner has not incurred costs in pursuit of this petition. The court finds the amount requested by petitioner to be reasonable.

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). Vaccine Rule 18(b) states that 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 constitute a clearly unwarranted invasion of privacy. When such a decision is filed, petitioner has 14 days to identify and move to redact such information prior to 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 redact such material from public access.

The court hereby adopts the parties' said stipulation, attached hereto, and awards attorneys' fees and costs in the amount set forth therein. Pursuant to the stipulation, the court awards a total of **\$34,500.00**, representing reimbursement for attorneys' fees and costs. The award shall be in the form of one check made jointly payable to petitioner and Donald P. Edwards in the amount of **\$34,500.00**.

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: June 14, 2011

/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.

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS**

RAYMOND DELOACH,)
)
 Petitioner,)
 v.)
)
 SECRETARY OF HEALTH)
 AND HUMAN SERVICES,)
)
 Respondent.)
)

No. 09-637V
Special Master Millman
ECF

STIPULATION OF ATTORNEYS' FEES AND COSTS

1. Donald P. Edwards is counsel for petitioner in this case.
2. Petitioner sent a draft Application for Attorneys' Fees and Costs to respondent on or about April 20, 2011.
3. During informal discussions, respondent raised objections to certain items in petitioner's draft application. Based on these discussions, petitioner amended his Application for Attorneys' Fees and Costs in this matter to request reimbursement for attorneys' fees and costs in the amount of **\$34,500.00**. Respondent does not object.
4. Pursuant to General Order #9, petitioner has not incurred costs in pursuit of his claim.
5. The parties now request that a decision awarding the final attorneys' fees and costs totaling **\$34,500.00** jointly payable to petitioner and his counsel Donald P. Edwards be issued.

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Respectfully submitted,

For Petitioner:

For Respondent:

s/Donald P. Edwards
DONALD P. EDWARDS
170 Mitchell Street, S.W.
Atlanta, GA 30303
Tel: (404) 526-8866

s/Linda S. Renzi
LINDA S. RENZI
Senior Trial Counsel
Torts Branch, Civil Division
U.S. Department of Justice
P.O. Box 146
Ben Franklin Station
Washington, DC 20044-0146
Tel: (202) 616-4133

DATED: June 14, 2011