

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 07-303 V
Filed: April 5, 2010
Not for Publication

BRETT GLASSBERG,

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Petitioner,

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Attorney's Fees and Costs

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v.

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SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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Thomas P. Gallagher, Somers Point, NJ, for petitioner.

Heather L. Pearlman, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEY'S FEES AND COSTS¹

On March 30, 2010, petitioner filed an application for attorney's fees and costs. Petitioner requested **\$55,316.25** in attorney's fees and **\$22,258.27** in attorney's costs. In compliance with General Order #9, petitioner stated that he incurred expenses of **\$801.83** in this matter.

On April 5, 2010, petitioner and respondent orally informed the undersigned's law clerk

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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, petitioners have 14 days to identify and move to delete 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 delete such material from public access.

of a revised requested amount in this case. Petitioner now requests **\$49,088.75** in attorney's fees and **\$19,053.39** in attorney's costs. Respondent will not object to the revised amount requested. The court finds the revised amount requested by petitioner to be reasonable.

Petitioner is awarded a total of **\$68,943.97** in attorney's fees and costs in this case. The clerk shall enter judgment for petitioner and shall direct that the award be in the form of a check made jointly payable to petitioner and Mr. Thomas P. Gallagher in the amount of **\$68,142.14**. The clerk shall also direct a check be made payable solely to petitioner in the amount of **\$801.83**.

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: April 5, 2010

/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.