

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

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CHARLES WEALAND,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

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No. 12-644V

Special Master Christian J. Moran

Filed: April 23, 2014

Attorneys' fees and costs; stipulation
of fact; award in the amount to which
respondent does not object

Elaine Whitfield Sharp, Whitfield, Sharp & Sharp, Marblehead, MA, for
Tara J. Kilfoyle, United States Dep't of Justice, Washington, DC, for Respondent.

UNPUBLISHED DECISION ON FEES AND COSTS¹

Petitioner Charles Wealand filed a stipulation for attorneys' fees and costs on April 17, 2014. The Court awards the requested amount to which respondent does not object.

In his petition, petitioner alleged that the influenza vaccine, which is contained in the Vaccine Injury Table (the "Table"), 42 C.F.R. §100.3(a), and which he received on or about September 17, 2010, caused him to suffer Guillain-Barré Syndrome ("GBS"). Petitioner received compensation based upon the

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.

parties' stipulation. Decision, filed October 3, 2012. Because petitioner received compensation, he is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Petitioner seeks a total of **\$36,500.00** in attorneys' fees and costs for petitioner's 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 does not object to this application for attorneys' fees and costs.

After reviewing the request, the court awards **\$36,500.00** in attorneys' fees and other litigation costs. A check in this amount shall be made payable to petitioner and his attorney. The Court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.