

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

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LISA N. BUTTON,	*	
	*	No. 13-900V
Petitioner,	*	Special Master Christian J. Moran
	*	
v.	*	Filed: October 16, 2014
	*	
SECRETARY OF HEALTH	*	Attorneys' fees and costs; award
AND HUMAN SERVICES,	*	in the amount to which
	*	respondent does not object.
Respondent.	*	
*****	*	

Diana L. Stadelnikas Sedar, Maglio, Christopher & Toale, Sarasota, FL, for
Petitioner;
Julia McInerny, United States Department of Justice, Washington, DC, for
Respondent.

UNPUBLISHED DECISION ON FEES AND COSTS¹

On September 19, 2014, petitioner filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter. Petitioner 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 her application to request \$10,400.00, an amount to which respondent does not object. The Court awards this amount.

On October 8, 2014, Lisa Button filed a petition for compensation alleging that the influenza vaccine, which she received on September 24, 2011, caused her to suffer transverse myelitis ("TM"). Petitioner received compensation based

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.

upon the parties' stipulation. Decision, issued October 16, 2014. Because petitioner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Petitioner seeks a total of **\$10,400.00** in attorneys' fees and costs for her counsel. Additionally, in compliance with General Order No. 9, petitioner states that she 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 \$10,400.00 in the form of a check made payable to petitioner and petitioner's attorney, Diana L. Stadelnikas Sedar, of the law firm Maglio, Christopher & Toale, P.A., 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, Mary Holmes, at (202) 357-6353.

IT IS SO ORDERED.

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