

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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CATHERINE A. FERDETTA,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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No. 15-835V

Special Master Christian J. Moran

Filed: May 10, 2016

Attorney's fees and costs.

Daniel R. Gage, Gage Fiore, LLC, Lawrenceville, NJ, for Petitioner;  
Glenn A. MacLeod, U.S. Department of Justice, Washington, DC, for Respondent.

### **UNPUBLISHED DECISION ON FEES AND COSTS<sup>1</sup>**

On March 17, 2016, petitioner filed a motion for attorney fees. Upon review of petitioner's motion, respondent filed a response. After a status conference on May 6, 2016, to discuss petitioner's attorney fees motion, the Court awards these amounts.

On August 5, 2016, Catherine A. Ferdetta filed a petition for compensation, alleging that the DTaP vaccine, which she received on August 16, 2012, caused development of a shoulder injury related to vaccine administration ("SIRVA"). Petitioner received compensation based upon the parties' proffer. Decision, issued January 1, 2016. Because petitioner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

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<sup>1</sup> The E-Government Act, 44 § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), 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.

In compliance with General Order #9, petitioner has filed a signed statement indicating petitioner incurred no out-of-pocket expenses.

After reviewing the petitioner's request, the Court awards the following:

**A lump sum of \$19,958.40, in the form of a check made payable to petitioner and petitioner's attorney, Daniel R. Gage, 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, Dan Hoffman, at (202) 357-6360.

**IT IS SO ORDERED.**

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