

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: December 19, 2012

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RONNI and CHRISTOPHER KOLLASCH,
as parents and natural guardians of their minor
child, QUINN KOLLASCH,

Petitioners,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

* * * * *

UNPUBLISHED
No. 10-717V

Chief Special Master
Campbell-Smith

Attorneys' Fees and Costs;
Reasonable Amount Requested to
Which Respondent Does not
Object.

Sheila A. Bjoriklund, Lommen, Abdo, Cole, King & Stageberg, PA, Minneapolis, MN, for
petitioners
Lara A. Englund, U.S. Dep't of Justice, Washington, DC, for respondent

ATTORNEYS' FEES AND COSTS DECISION¹

On October 21, 2010, Ronni and Christopher Kollasch (petitioners) filed a petition
on behalf of their minor child, Quinn, for compensation under the National Vaccine

¹ Because this decision contains a reasoned explanation for the undersigned's action in
this case, the undersigned intends to post this decision on the United States Court of
Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No.
107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each
party has 14 days within which to request redaction "of any information furnished by that
party: (1) that is a trade secret or commercial or financial in substance and is privileged
or confidential; or (2) that includes medical files or similar files, the disclosure of which
would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b).
Otherwise, "the entire" decision will be available to the public. Id.

Injury Compensation Program (“Vaccine Program”).² Petitioners alleged that as a result of Quinn’s receipt of a seasonal influenza (flu) vaccine on November 18, 2009, he thereafter suffered from transverse myelitis (TM) and the residual effects of this injury for more than six months. Petition at 1. On July 26, 2012, the undersigned issued a decision, based on the parties’ stipulation, awarding compensation to petitioner. Decision, July 26, 2012.

On December 18, 2012, the parties filed a Stipulation of Fact Concerning Supplemental Attorneys’ Fees and Costs. According to the stipulation, respondent does not object to a total supplemental award of attorneys’ fees and costs in the amount of \$4,200.00. In accordance with General Order #9, petitioners filed a statement stating that they incurred no out-of-pocket expenses in pursuing their petition.

The Vaccine Act permits an award of reasonable attorneys’ fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of petitioners’ request and respondent’s counsel’s lack of objection to petitioners’ counsel’s fee request, the undersigned **GRANTS** petitioners’ motion for approval and payment of attorneys’ fees and costs. Accordingly, an award should be made in the form of a check payable jointly to petitioners and Lommen, Abdo, Cole, King & Stageberg, PA, in the amount of **\$4,200.00**. In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties’ stipulation.³

IT IS SO ORDERED.

s/Patricia E. Campbell-Smith
Patricia Campbell-Smith
Chief Special Master

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-1 to -34 (2006) (“Vaccine Act” or “Act”). All citations in this decision to individual sections of the Act are to 42 U.S.C.A. § 300aa.

³ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties’ joint filing of notice renouncing the right to seek review.