

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**  
(E-Filed: September 17, 2012)

* * * * *	*	
ALISSA SAPIEN, by and through her	*	Attorneys' Fees and Costs;
natural father and next friend,	*	Reasonable Amount Requested
ROBERT SAPIEN	*	to which Respondent Does Not
	*	Object
	*	
Petitioner,	*	No. 12-13V
	*	
v.	*	Chief Special Master
	*	Campbell-Smith
	*	
SECRETARY OF THE	*	
DEPARTMENT OF HEALTH AND	*	
HUMAN SERVICES,	*	
	*	
Respondent.	*	
	*	
* * * * *	*	

**ATTORNEYS' FEES AND COSTS DECISION<sup>1</sup>**

**CAMPBELL-SMITH, Chief Special Master**

On January 6, 2012, Robert Sapien (“petitioner”) filed a petition on behalf of his daughter, Alissa Sapien, seeking compensation under the National Vaccine Injury

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<sup>1</sup> 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 file a motion for redaction “of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). In the absence of such motion, “the entire” decision will be available to the public. Id.

Compensation Program (“the Vaccine Program”).<sup>2</sup>

On June 12, 2012, petitioner filed a Motion for Dismissal Decision, which was granted on the same day. On July 16, 2012, judgment was entered pursuant to Vaccine Rule 11(a) dismissing this case for insufficient proof.

On September 13, 2012, petitioner’s counsel filed an Application for Attorney’s Fees and Costs, in which he stated that respondent does not oppose the Application. See Application for Attorney’s Fees and Costs (Fee App.).

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 petitioner’s request and respondent’s counsel’s lack of objection to petitioner’s counsel’s fee request, the undersigned **GRANTS** petitioner’s counsel’s application for attorney’s fees and costs and petitioner’s costs.

The undersigned awards a total of \$4,126.29 in attorneys’ fees and costs and petitioner’s costs. In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in petitioner’s favor in the amount of \$3,726.29 in attorneys’ fees and attorneys’ costs and \$400.00 in petitioner’s costs.<sup>3</sup> The judgment shall reflect that The Law Office of William P. Ronan, III may collect \$3,726.29 from petitioner. Petitioner may retain \$400.00 for costs borne by petitioner.

**IT IS SO ORDERED.**

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

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<sup>2</sup> The Program comprises 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-10 *et seq.* (hereinafter “Vaccine Act” or “the Act”). Hereafter, individual section references will be to 42 U.S.C. § 300aa of the Act.

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