

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

(Filed: March 3, 2008)

DO NOT PUBLISH

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|----------------------------|---|-----------------------------------|
| ADRIANA NIAZI, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | No. 01-0617V |
| |) | Attorneys' Fees; Attorneys' Costs |
| SECRETARY OF |) | |
| HEALTH AND HUMAN SERVICES, |) | |
| |) | |
| Respondent. |) | |

DECISION ON ATTORNEYS' FEES AND ATTORNEYS' COSTS¹

Petitioner, Adriana Niazi (Ms. Niazi), seeks an award of \$35,158.39 in attorneys' fees and attorneys' costs for an action that she pursued successfully under the National Vaccine Injury Compensation Program (Program).² See Joint Status Report (JSR), filed March 3, 2008, at 1. Ms. Niazi represents that she did not incur any personal expenses as defined by General Order No. 9. See Application for Attorneys' Fees & Costs (Fee Petition), filed February 5, 2008, Exhibit 2. Respondent does not object. See JSR at 1.

The Act mandates the award of "reasonable attorneys' fees" and "other costs" because Ms. Niazi received Program compensation. § 300aa-15(e)(1). The special master has considered carefully Ms. Niazi's request for attorneys' fees and attorneys' costs. Based upon his experience,

¹ 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 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). Otherwise, "the entire decision" will be available to the public. *Id.*

² The statutory provisions governing the Vaccine Program are found in 42 U.S.C. §§ 300aa-10 *et seq.* For convenience, further reference will be to the relevant section of 42 U.S.C.

the special master determines that Ms. Niazi's request for attorneys' fees and attorneys' costs is appropriate.

In the absence of a motion for review filed under RCFC Appendix B, the clerk of court shall enter judgment in Ms. Niazi's favor for \$35,158.39. The judgment shall provide that Ms. Niazi's attorney of record, Clifford J. Shoemaker, Esq. (Mr. Shoemaker), may collect \$35,158.39 from Ms. Niazi. Under Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.

s/John F. Edwards
John F. Edwards
Special Master