

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 03-0542V
(Not to be published)

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KIMBERLY YENCH, parent of *
Nicholas Yench, a minor, *
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Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES

Respondent.

Filed: January 12, 2011

Decision on Attorney's
Fees and Costs

DECISION¹ (ATTORNEY'S FEES AND COSTS)

On December 21, 2010, the petitioner submitted an application seeking an award for fees and costs incurred in this case filed under the National Vaccine Injury Compensation Program. The application seeks fees in the amount of \$9,700.00 and costs totaling \$177.00. Respondent's attorney, Linda Renzi, informed a member of my staff by telephone, on January 4, 2011, that respondent has no objection to an award of the amounts requested.

After reviewing the file, I find that this petition was brought in good faith and that there existed a reasonable basis for the claim. The proposed amounts seem reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

¹ Because this document contains a reasoned explanation for my action in this case, I intend to post this order 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). Therefore, 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, this entire document will be available to the public. *Id.*

- a lump sum of \$9,700.00, in the form of a check payable jointly to petitioner and petitioner's counsel, Edward Kraus, on account of services performed by counsel's law firm.
- a lump sum of \$177.00, in the form of a check payable to petitioner, which represents petitioner's own litigation expenses in this case.

In the absence of a timely-filed motion for review of this Decision (see Appendix B, Rules of the United States Court of Federal Claims), the clerk shall enter judgment in accordance herewith.

IT IS SO ORDERED.

/s/ George L. Hastings, Jr.
George L. Hastings, Jr.
Special Master