



reconsideration when the evidence petitioner submitted was not “compelling evidence that would warrant reconsideration of his key findings of fact”).

Here, Petitioner has failed to show that granting her motion for reconsideration would serve the interest of justice. Petitioner’s motion consists of argument by counsel based on the existing record, and she has not submitted any new evidence. Additionally, none of Petitioner’s arguments addresses my central finding that, two years after filing the case, counsel remained unprepared to show that Colin’s pre-existing disorders were significantly aggravated by his flu vaccinations. In reaching my decision on attorneys’ fees and costs, I considered and rejected each argument now made by Petitioner.<sup>3</sup> Petitioner has not identified a mistake in fact or law in the decision on attorneys’ fees and costs, nor has she shown that the interest of justice otherwise compels reconsideration of the decision.

For the foregoing reasons, Petitioner’s motion for reconsideration is **DENIED**.

**IT IS SO ORDERED.**

s/ Dee Lord  
Dee Lord  
Chief Special Master

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<sup>3</sup> For example, Petitioner claims that, at the time of filing this case, a “wealth” of scientific literature supported her theory of causation. Pet’r Mot. for Reconsideration, Oct. 18, 2010, at 9. In Colin’s decision, I noted that counsel had filed “an expert report in another ‘mercury toxicity’ case which stated the evidence, while ‘suggestive,’ ‘falls well short of a level that could justify . . . implicating exposure to mercury as a substantial contributing factor in the development of speech, language, and attention problems.’” Browning (Colin) v. Sec’y of Dep’t of Health & Human Servs., No. 07-453V, Fee Decision, 11 (Fed. Cl. Spec. Mstr Sept. 27, 2010) (quoting Boyd v. Sec’y of Dep’t of Health & Human Servs., No. 03-2649V, 2010 WL 3565231, Pet’r Ex 40 (Dr. Marcel Kinsbourne’s Report)). Further, in my fee decision in Colin’s sister Kate’s case, I noted that in September 2007, counsel stated he was unable to file an expert report in the Boyd case because he wanted to wait for more research to be done first. Browning (Kate) v. Sec’y of Dep’t of Health & Human Servs., No. 02-929V, Fee Decision, 4 n.7 (Fed. Cl. Spec. Mstr Sept 27, 2010). As I noted in my decision in this case denying attorneys’ fees and costs, that decision is best understood in the context of the cases brought by Petitioner on behalf of Colin’s sisters, Kate and Maeve, which were consolidated with this case at Petitioner’s request. See Browning (Colin), Fee Decision, at 2.