

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 10-699V

Filed: March 20, 2012

MIRANDA E. OMON, by and through)	
her natural father and next friend,)	
EDEM A. OMON,)	
)	NOT TO BE PUBLISHED
Petitioner,)	
)	
v.)	Attorneys' fees and costs;
)	personal litigation costs;
SECRETARY OF)	award in the amount to which
HEALTH AND HUMAN SERVICES,)	respondent does not object
)	
Respondent.)	

William P. Ronan, III, Ronan Law Firm, Overland Park, KS, for Petitioner;
Chrysovalantis P. Kefalas, U. S. Dep't of Justice, Washington, D.C., for Respondent.

DECISION ON FEES AND COSTS¹

LORD, Special Master.

On November 21, 2011, Petitioner in the above-captioned case filed a Petition for Attorneys' Fees and Costs ("Application"), requesting \$3,075.00 in fees and \$762.46 in costs. Respondent objected to the Application, arguing that "Petitioner had no reasonable basis to file this claim, and all claims for attorneys' fees and costs must be denied in toto." Resp't's Resp. 7, Dec. 8, 2011, ECF No. 11. On January 9, 2012, Petitioner responded to Respondent's objection by filing a copy of a letter written to Respondent's counsel on October 28, 2011, stating Petitioner's position with respect to the reasonable basis of the claim. Pet'r's Resp. 3-4, ECF No. 12. On January 30, 2012, Respondent withdrew her objection to the Application "[b]ased on the representations made and citations to the record offered" in Petitioner's response. Resp't's Reply, ECF No. 13. Respondent stated that she does not "object to the reimbursement of \$3,075.00 in attorneys' fees and \$762.46 in attorneys' costs." Id.

On March 2, 2012, in accordance with General Order #9, Petitioner filed a Statement indicating Petitioner incurred no reimbursable personal litigation costs.

¹ In accordance with Vaccine Rule 18(b), petitioner has 14 days to file a proper motion seeking redaction of medical or other information that satisfies the criteria in 42 U.S.C. § 300aa-12(d)(4)(B). Redactions ordered by the special master, if any, will appear in the document as posted on the United States Court of Federal Claims' website.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300aa-15(e). After reviewing the request, the undersigned finds the requested amount of \$3,075.00 in attorneys' fees and \$762.46 in costs to be reasonable. Based on its reasonableness, the undersigned **GRANTS** Petitioner's request.

Accordingly, pursuant to Vaccine Rule 13, Petitioner is awarded a total of **\$3,837.46** in attorneys' fees and costs.

The judgment shall reflect that Petitioner is awarded fees and costs as follows:

A lump sum of \$3,837.46 in the form of a check payable jointly to Petitioner and Petitioner's counsel, William P. Ronan, III, for attorneys' fees and costs available under 42 U.S.C. § 300aa-15(e).

The Court thanks the parties for their cooperative efforts in resolving this matter. In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment accordingly.²

IT IS SO ORDERED.

s/ Dee Lord
Dee Lord
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.