

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 09-604V

Filed: September 9, 2011

PATRICE DONOHUE,)	
)	
Petitioner,)	NOT TO BE PUBLISHED
)	
v.)	
)	
SECRETARY OF)	Attorneys' Fees and Costs
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	

Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., Boston, M.A., for Petitioners;
Lisa A. Watts, United States Dep't of Justice, Washington, D.C., for Respondent.

DECISION¹

LORD, Special Master.

Petitioner in the above-captioned case filed a motion for attorneys' fees and costs (the "Motion") on August 8, 2011. After informal discussions with Respondent, Petitioner requests a total award of \$27,451.98 in attorneys' fees and costs. In accordance with General Order #9, Petitioners' counsel represents that Petitioner incurred \$25.00 in personal litigation costs. Respondent filed a status report on August 31, 2011, informing the court that there is no objection to this request.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300aa-15(e). After reviewing the request, the court finds the stipulated amount of \$27,451.98 in attorneys' fees and \$25.00 in Petitioner's personal litigation costs to be reasonable. Based on the request's reasonableness, the undersigned **GRANTS** the parties' request as outlined in the Motion.

Accordingly, pursuant to Vaccine Rule 13, Petitioner is awarded a total of **\$27,451.98** in attorneys' fees and costs and **\$25.00** in Petitioner's personal litigation costs. The judgment shall reflect that Petitioner is awarded attorneys' fees and costs as follows:

¹As provided by Vaccine Rule 18(b), each party has 14 days within which to request the redaction "of any information furnished by that party (1) that is trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Rules of the United States Court of Federal Claims (RCFC), Appendix B, Vaccine Rule 18(b). In the absence of a timely objection, the entire document will be made publicly available.

- (1) in a check made payable jointly to Petitioner and Petitioner's counsel, Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., in the amount of \$27,451.98, and**
(2) in a check made payable to Petitioner only in the amount of \$25.00.

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.