

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 11-586 V

Filed: April 27, 2012

Not for Publication

DIANE GRADY, as legal representative of *
ZACHARY R. CHIAVETTA, a minor, *

Petitioner, *

Attorneys' Fees and Costs Decision

v. *

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

Respondent. *

Sherry K. Drew, Glenview IL, for petitioner.
Claudia B. Gangi, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On April 25, 2012, petitioner filed an Application for Attorneys' Fees and Costs, requesting \$12,616.56 in attorneys' fees and costs and \$79.45 in petitioner's costs. On April 27, 2012, respondent filed a Response to Petitioner's Application for Attorney Fees and Costs. Respondent has no objections to petitioner's fee application.

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). Vaccine Rule 18(b) states that all decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would constitute a clearly unwarranted invasion of privacy. When such a decision is filed, petitioner has 14 days to identify and move to redact such information prior to the document's disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall redact such material from public access.

In accordance with the General Order #9 requirement, petitioner states that she incurred \$79.45 in out-of-pocket litigation costs to pursue her petition.

The undersigned finds the amounts requested to be reasonable. Accordingly, the court awards:

- a. **\$12,616.56**, representing reimbursement for attorneys' fees and costs. The award shall be in the form of a check payable jointly to petitioner and McDowell & Drew, Ltd., in the amount of **\$12,616.56**; and
- b. **\$79.45**, representing reimbursement for petitioner's costs. The award shall be in the form of a check payable to petitioner in the amount of **\$79.45**.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.²

IT IS SO ORDERED.

Dated: April 27, 2012

s/ Laura D. Millman
Laura D. Millman
Special Master

² Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party's filing a notice renouncing the right to seek review.