

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 10-691 V

Filed: November 9, 2011

Not for Publication

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ALBERT S. LEN,

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Petitioner,

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v.

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Attorneys' Fees and Costs Decision

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SECRETARY OF THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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Peter J. Sarda, Raleigh, NC, for petitioner.

Michael P. Milmo, Washington, DC, for respondent.

**MILLMAN, Special Master**

### **DECISION AWARDING ATTORNEYS' FEES AND COSTS<sup>1</sup>**

On November 1, 2011, petitioner filed a Motion for Award of Attorneys' Fees, in which he indicates that respondent does not object to a fee award of \$16,000.00. On November 9, 2011, petitioner filed a General Order #9 statement, stating that he paid the filing fee in this case, incurring \$350.00 in costs.

The court finds the amount to be reasonable. Accordingly, the court awards:

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<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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 delete 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 delete such material from public access.

- a. **\$15,650.00**, representing reimbursement for attorneys' fees and costs. The award shall be in the form of one check made jointly payable to petitioner and Creech Law Firm in the amount of **\$15,650.00**.
- b. **\$350.00**, representing reimbursement for petitioner's costs. The award shall be in the form of one check made solely payable to petitioner in the amount of **\$350.00**.

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.<sup>2</sup>

**IT IS SO ORDERED.**

Dated: November 9, 2011

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

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<sup>2</sup> 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.