

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

CHRISTY RANAY FIELDS, *

*

Petitioner, *

*

v. *

*

SECRETARY OF HEALTH *

*

AND HUMAN SERVICES, *

*

Respondent. *

*

No. 02-311V
Special Master Christian J. Moran

Filed: May 25, 2011

Attorneys' fees and costs;
award in the amount to which
respondent does not object

UNPUBLISHED DECISION¹

David L. Terzian, Rawls & McNelis P.C., Richmond, VA, for Petitioner;
Glenn A. MacLeod, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Christy Ranay Fields filed her application for final attorneys' fees and costs on May 20, 2011.² The Court awards the amount to which respondent has not objected.

Ms. Fields claimed that the hepatitis B vaccination caused her to develop Wegener's granulomatosis. A preponderance of the evidence established that she was entitled to

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of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).

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 clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, the person submitting the information has 14 days to identify and to move to delete such information before the document's disclosure. If the special master agrees that the identified material fits within the categories listed above, the special master shall redact such material from public access. 42 U.S.C. § 300aa-12(d)(4)(B); Vaccine Rule 18(b).

² Ms. Fields was previously awarded interim attorneys' fees and costs on September 22, 2011, in the amount of \$80,750.79.

compensation. Decision, dated Apr. 9, 2008. Because Ms. Fields received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. §300aa-15(e).

Ms. Fields seeks **\$60,594.54** in attorneys' fees and in costs for petitioner's counsel. Ms. Fields also seeks **\$11,418.03** for fees and costs incurred by her former counsel, the law firm of Shoemaker & Associates. Additionally, Ms. Fields filed a statement of costs in compliance with General Order No. 9, stating that she incurred **\$2,987.43** while pursuing this claim. Respondent stated that she had no objection to this application for attorneys' fees and costs.

After reviewing the request, the court awards the following:

1. **A lump sum payment of \$60,594.54 in the form of a check payable to petitioner's attorney, David L. Terzian of the law firm Rawls, McNelis & Mitchell, P.C., and petitioner, Christy Fields, for attorney's fees and costs available under 42 U.S.C. § 300aa-15(e).**
2. **A lump sum payment of \$11,418.03 in the form of a check payable to the law firm of Shoemaker & Associates, and petitioner, Christy Fields, for attorney's fees and costs available under 42 U.S.C. § 300aa-15(e).**
3. **A lump sum payment of \$2,987.43 in the form of a check payable to petitioner, Christy Fields.**

The court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.³

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
Special Master

³ 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.