

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

SUSAN LAWSON, Parent of, *
JULIA GRIMES, A minor, *

Petitioner, *

No. 09-148V
Special Master Christian J. Moran

v. *

Filed: June 29, 2011

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

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

Respondent. *

UNPUBLISHED DECISION¹

Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., Boston, MA, for Petitioner;
Alexis B. Babcock, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Susan Lawson, parent of Julia Grimes (“Julia”), filed her application for attorneys’ fees and costs on June 23, 2011. The Court awards the amount to which respondent has not objected.

Ms. Lawson claimed that the measles-mumps-rubella-varicella vaccine caused Julia to suffer encephalitis. Respondent recommended that compensation be awarded in this case. Resp’t Rep’t, filed June 11, 2009, at 1. A June 29, 2009 order moved this case into the damages phase. On January 12, 2011, petitioner was awarded compensation, based on the parties’ Proffer

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of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

on Award of Compensation (filed Jan. 7, 2011). Because petitioner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. §300aa-15(e).

Ms. Lawson seeks **\$54,848.60** in attorneys' fees and **\$34,772.20** in costs for petitioner's counsel. Additionally, Ms. Lawson stated that she incurred **\$1,772.87** 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 \$89,620.80 in the form of a check payable to petitioner's attorney, Ronald C. Homer, of the law firm Conway, Homer & Chin-Caplan, P.C., and petitioner, Susan Lawson, for attorney's fees and costs available under 42 U.S.C. § 300aa-15(e).**
2. **A lump sum payment of \$1,772.87 in the form of a check payable to petitioner, Susan Lawson.**

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

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
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.