

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 08-824V

Filed: October 20, 2010

Not for Publication

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DAVID ROCA,

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Petitioner,

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Attorneys' Fees and Costs

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v.

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SECRETARY OF THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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Thomas Mester, Cleveland, OH, for petitioner.

Debra A. Filteau Begley, Washington, DC, for respondent.

**MILLMAN, Special Master**

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

On October 15, 2010, petitioner filed an unopposed application for attorneys' fees and costs. Petitioner requests a total of **\$22,000.00** in attorneys' fees and costs. In compliance with General Order #9, petitioner states that he has not incurred any expenses. Respondent does not object to the amount requested. The court finds the amount requested by petitioner to be reasonable.

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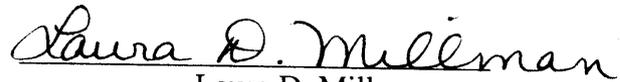
<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 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.

The court awards a total of **\$22,000.00**, representing reimbursement for attorneys' fees and costs in this case. The award shall be in the form of one check made jointly payable to petitioner and the law firm Nurenberg, Paris, Heller & McCarthy Co., LPA in the amount of **\$22,000.00**.

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: Oct. 20, 2010

  
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.