

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

DEANNA and SCOTT GROMOWSKI, *
As Parents and Natural Guardians of *
IAN GROMOWSKI, A Minor, *
Petitioners, *

No. 09-511V
Special Master Christian J. Moran

Filed: November 8, 2010

v. *

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *
Respondent. *

Attorneys' fees and costs; award
in the amount to which
respondent has not objected

UNPUBLISHED DECISION¹

Sheila A. Bjorklund, Esq., Lommen, Abdo, Cole, King & Stageberg, P.A., Minneapolis, MN, for
Petitioner;
Ryan D. Pyles, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioners Deanna and Scott Gromowski, as parents and natural guardians of their son
Ian Gromowski, filed an application for attorneys' fees and costs on November 3, 2010. The
Court awards the amount to which respondent has not objected.

Petitioners claimed that the hepatitis B vaccine caused an adverse reaction and received
compensation based upon the parties' stipulation. Decision, filed October 26, 2010. Because

¹ Because this unpublished decision contains a reasoned explanation for the special master's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).

petitioners received compensation, they are entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Petitioners seek a total of **\$44,475.00** in attorneys' fees and costs for petitioner's counsel. Additionally, petitioners filed a statement of costs in compliance with General Order No. 9, stating that they incurred no litigation costs 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 **\$44,475.00** in attorneys' fees and other litigation costs. 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.

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS

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DEANNA and SCOTT GROMOWSKI,)	
as parents and natural guardians of minor)	
IAN GROMOWSKI, decedent,)	
)	
Petitioners,)	
)	
v.)	No. 09-511V
)	Special Master Christian J. Moran
)	ECF
SECRETARY OF HEALTH)	
AND HUMAN SERVICES,)	
)	
Respondent.)	
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STIPULATION OF FACT CONCERNING ATTORNEYS' FEES AND COSTS

It is hereby stipulated by and between the parties, the following factual matters:

1. Sheila A. Bjorklund is the attorney of record for petitioners in this matter.
2. Petitioners submitted a draft final Application for Attorneys' Fees and Costs to respondent on or about October 4, 2010.
3. In informal discussions, respondent raised objections to certain items in petitioners' draft application. Based on these discussions, petitioners have amended their final Application for Attorneys' Fees and Costs in this matter to request reimbursement for attorneys' fees and costs in the amount of \$44,475.00. Respondent does not object to petitioners' request for attorneys' fees and costs.
4. Pursuant to General Order #9, petitioners advanced no monies in reimbursable costs in pursuit of their claim.
5. The parties now request that a decision awarding final attorneys' fees and costs, totaling **\$44,475.00**, be issued.

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Respectfully submitted,

s/ SHEILA A. BJORKLUND
SHEILA A. BJORKLUND
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s/ RYAN D. PYLES
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DATED: November 3, 2010