



concerning petitioner's former counsel's initial request, petitioner's former counsel requests an amended amount to which respondent does not object.<sup>3</sup>

I find that this petition was brought in good faith and that there existed a reasonable basis for the claim. Therefore, an award for fees and costs is appropriate, pursuant to 42 U.S.C. §§ 300aa-15(b) and (e)(1). Further, the proposed amount seems reasonable and appropriate. **Accordingly, I hereby award the total \$60,000.00<sup>4</sup> as follows:**

- **a lump sum in the form of a check payable jointly to petitioner, Sara E. Sotomayor, and petitioner's former counsel Maglio, Christopher, & Toale, P.A., for petitioner's attorney fees and costs.**

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.<sup>5</sup>

**IT IS SO ORDERED.**

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**Denise K. Vowell**  
Special Master

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<sup>3</sup> This sentence has been revised from my decision on attorney fees and costs, issued February 21, 2013, and struck from the record on February 25, 2013, to reflect that the request for fees and costs was made by petitioner's former counsel, the real party in interest.

<sup>4</sup> This amount is intended to cover all legal expenses incurred in this matter. This award encompasses all charges by the attorney against a client, "advanced costs" as well as fees for legal services rendered. Furthermore, 42 U.S.C. § 300aa-15(e)(3) prevents an attorney from charging or collecting fees (including costs) that would be in addition to the amount awarded herein. See generally *Beck v. Sec'y, HHS*, 924 F.2d 1029 (Fed. Cir.1991). Additionally, this amount is inclusive of an invoice from a second law firm that reviewed petitioner's case, Conway, Homer, and Chin-Caplan ["CHCC"]. Status Report Regarding Attorneys' Fees and Costs, filed Feb. 19, 2013, at ¶¶ 1 n.1; 2 n. 2. Maglio, Christopher, & Toale have indicated their intent to "effect payment, as appropriate, to CHCC." *Id.* at ¶ 2 n. 2.

According to respondent's February 19, 2013 status report, both respondent and petitioner's former counsel "made numerous attempts to contact petitioner to discuss [her former counsel's] revised request for fees, but petitioner has not responded." *Id.* at ¶ 5. Thus, "respondent is unaware of petitioner's position on the proposed unopposed reduced application of \$60,000.00 for attorneys' fees and costs." *Id.*

<sup>5</sup> Entry of judgment can be expedited by each party's filing of a notice renouncing the right to seek review. See Vaccine Rule 11(a).