

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

No. 99-681V

Filed: August 20, 2009

Unpublished

RONALD CHRISTOPHER EDMUNDS, a	*	
minor, by his father and natural guardian,	*	Attorney Fees and Costs,
RONALD WARREN EDMUNDS,	*	Repetitive Billing for Short
	*	Enlargements
Petitioner,	*	
v.	*	
	*	
SECRETARY OF THE DEPARTMENT	*	
OF HEALTH AND HUMAN SERVICES,	*	
	*	
Respondent.	*	
	*	

DECISION AWARDING ATTORNEY FEES AND COSTS¹

Denise K. Vowell, Special Master:

On August 6, 2009, petitioner's counsel, Clifford Shoemaker, filed a petition for attorney fees and costs. On August 20, 2009, counsel for both parties filed a joint status report wherein petitioner requested a reduction in his application request, and respondent indicated that she had no objection to the new amount. Petitioner now seeks \$4,930.18 in attorney fees and costs.

Pursuant to my statutory responsibility to approve only reasonable fees and costs, I have reviewed the billing records submitted in the [50] petitioner's application for attorney fees and costs. I note that the attorney of record billed 1.50 hours to do so as well, including the time to prepare the application itself.

One issue with the fees claimed in this case is glaringly apparent. In an [35] order dated February 15, 2008, petitioner was provided 90 days to file medical records pertaining to his son's autism diagnosis. On May 15, 2008, [36] petitioner requested a 60 day enlargement of time. Thereafter, he requested *five* 30 day enlargements of time for which an attorney billed a total of \$277.50. Repetitive requests for short

¹ Petitioner is reminded that, pursuant to 42 U.S.C. § 300aa-12(d)(4) and Vaccine Rule 18, he has 14 days to request redaction of material in this decision that "would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b)(2).

enlargements of time occasion considerable work by both counsel and the court. A realistic assessment of the time required to obtain the necessary records and file them with the court would have reduced these five requests to one or two, saving time, money, and effort.

After reviewing the file, 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 amounts seem reasonable and appropriate. Accordingly, I hereby award a lump sum of **\$4,930.18** in the form of a check payable jointly to petitioner and petitioner's counsel, Clifford Shoemaker, 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.²

IT IS SO ORDERED.

s/ Denise K. Vowell
Denise K. Vowell
Special Master

² Entry of judgment can be expedited by each party's filing a notice renouncing the right to seek review. See Vaccine Rule 11(a).