

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 09-284 V

Filed: November 3, 2010

Not for Publication

MARQIANO JAMES, Deceased, *
by and through his natural mother, *
COLLEEN CHEE, and his natural father, *
MARCO JAMES, *

Petitioners, *

Attorneys' Fees and Costs

v. *

SECRETARY OF THE DEPARTMENT *
OF HEALTH AND HUMAN SERVICES, *

Respondent. *

Stephen I. Leshner, Phoenix, AZ, for petitioners.

Heather L. Pearlman, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On November 2, 2010, petitioners informed the undersigned's law clerk of their request for a total of **\$45,253.91** in attorneys' fees and costs. In compliance with General Order #9, petitioners state that they incurred no expenses in this case. Respondent has agreed not to object to the amount requested by petitioners. The court finds the amount requested by petitioners to be

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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.

reasonable.

The court hereby awards a total of **\$45,253.91**, representing reimbursement for attorneys' fees and costs. The award shall be in the form of one check made jointly payable to petitioners and Stephen I. Leshner, P.C. in the amount of **\$45,253.91**.

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.²

IT IS SO ORDERED.

Dated: November 3, 2010

/s/ Laura D. Millman

Laura D. Millman
Special Master

² 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.