

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**

No. 08-451V  
Filed: December 1, 2010  
Not to be published

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NIA HALL, parent of	*	
ASHA HALL, a minor,	*	
	*	
Petitioner,	*	Attorney fees and costs decision
	*	
v.	*	
	*	
SECRETARY OF THE DEPARTMENT	*	
OF HEALTH AND HUMAN SERVICES,	*	
	*	
Respondent.	*	

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*Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., Boston, M.A., for Petitioner.*  
*Debra A. Filteau Begly, U.S. Department of Justice, Washington, D.C., for Respondent.*

**ATTORNEY’S FEES AND COSTS DECISION<sup>1</sup>**

**GOLKIEWICZ**, Special Master.

On November 18, 2010, petitioner filed an Application for Attorneys’ Fees and Costs [hereinafter “Fee Application”]. The Fee Application requests attorney’s fees in the amount of \$5,873.60 and costs in the amount of \$733.35. Fee Application at 1. The total amount requested for attorney’s fees and costs is \$6,606.95. Id. In an attempt to comply with General Order #9, petitioner’s counsel mailed a Statement regarding costs to petitioner on June 15, 2010. Petitioner has been unresponsive to counsel’s attempts to communicate. Id. at 1-2; see also P Status Report, filed October 1, 2010. As such, petitioner’s counsel asserts the belief that petitioner did not personally incur expenses related to this litigation. Id. 2. On November 22, 2010, respondent communicated to the undersigned’s office that there is no objection to petitioner’s Fee Application.

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<sup>1</sup> The undersigned intends to post this decision on the United States Court of Federal Claims’ website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction “of any information furnished by that party (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). Otherwise, the entire decision will be available to the public. Id.

Upon review of the case and petitioner's Fee Application, the court finds petitioner's Fee Application reasonable and hereby awards the petitioner attorney fees and costs in the amount of \$6,606.95. **Specifically, petitioner is awarded a lump sum of \$6,606.95 in the form of a check payable jointly to petitioner and petitioner's attorney.**

The Clerk of the Court is directed to enter judgment accordingly.<sup>2</sup>

**IT IS SO ORDERED.**

s/ Gary J. Golkiewicz  
Gary J. Golkiewicz  
Special Master

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<sup>2</sup> 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. Furthermore, this amount is intended to cover all legal expenses. 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.A. §300aa-15(e)(3) prevents an attorney from charging or collecting fees (including costs) which would be in addition to the amount awarded herein. See generally, Beck v. Secretary of the Dept. of Health & Human Servs., 924 F.2d 1029 (Fed. Cir. 1991).