

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 10-206V

Filed: February 13, 2012

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JESSICA BERMUDEZ,	)	NOT TO BE PUBLISHED
	)	
Petitioner,	)	
	)	
v.	)	Attorneys' fees and costs;
	)	personal litigation costs;
SECRETARY OF	)	award in the amount to which
HEALTH AND HUMAN SERVICES,	)	respondent does not object
	)	
Respondent.	)	
_____	)	

Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., Boston, MA, for Petitioner;  
Ann D. Martin, United States Dep't of Justice, Washington, D.C., for Respondent.

### **DECISION ON FEES AND COSTS**<sup>1</sup>

**LORD**, Special Master.

On October 26, 2011, Petitioner in the above-captioned case filed an Application for Attorneys' Fees and Costs ("Application"), requesting \$14,629.70 in fees and \$272.60 in costs. On November 4, 2011, in accordance with General Order #9, Petitioner filed a Petitioner and Counsel Statement ("Statement") delineating the costs borne by counsel and the costs borne by Petitioner. According to the Statement, Petitioner incurred \$250.00 in reimbursable personal litigation costs. Respondent has raised no objection to Petitioner's request. Id.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300aa-15(e). After reviewing the request, the undersigned finds the requested amount of \$14,902.30 in attorneys' fees and costs and \$250.00 in Petitioner's out-of-pocket expenses to be reasonable. Based on its reasonableness, the undersigned **GRANTS** Petitioner's request.

Accordingly, pursuant to Vaccine Rule 13, Petitioner is awarded a total of **\$14,902.30** in attorneys' fees and costs and **\$250.00** in out-of-pocket litigation costs.

<sup>1</sup> In accordance with Vaccine Rule 18(b), petitioner has 14 days to file a proper motion seeking redaction of medical or other information that satisfies the criteria in 42 U.S.C. § 300aa-12(d)(4)(B). Redactions ordered by the special master, if any, will appear in the document as posted on the United States Court of Federal Claims' website.

The judgment shall reflect that Petitioner is awarded fees and costs as follows:

**(1) A lump sum of \$14,902.30 in the form of a check payable jointly to Petitioner and Petitioner's counsel, Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., for attorneys' fees and costs available under 42 U.S.C. § 300aa-15(e); and**

**(2) A lump sum of \$250.00 in the form of a check payable to Petitioner only for personal litigation costs.**

The Court thanks the parties for their cooperative efforts in resolving this matter. In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment accordingly.<sup>2</sup>

**IT IS SO ORDERED.**

s/ Dee Lord  
Dee Lord  
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.