

Even though the petition was dismissed and compensation denied, a petitioner who brings his petition in good faith and who has a reasonable basis for the petition may be awarded attorneys' fees and costs. See 42 U.S.C. § 300aa-15(e). Here, the docket reflects petitioners' counsel's active prosecution of their case from petition through appeal. Because petitioners' counsel acted in good faith and there was a reasonable basis for proceeding, petitioners are eligible for an award of attorneys' fees and costs. Respondent does not contend that petitioners failed to satisfy these criteria.

Petitioners seek a total of **\$44,024.18**, which amount includes \$31,340.82 in attorneys' fees and \$12,683.36 in litigation costs for petitioners' counsel. Additionally, petitioners filed a statement of costs in compliance with General Order No. 9, stating that petitioners incurred no reimbursable costs in pursuit of their claim. Respondent stated that she had no objection to this application for attorneys' fees and costs.

After reviewing the application, the court awards Petitioners the requested attorneys' fees and litigation costs. Accordingly, Petitioners are awarded:

A lump sum of \$44,024.18 in the form of a check payable to petitioners and petitioners' attorney, Ronald L. Rosenfield, Esq., for attorney's fees and costs available under 42 U.S.C. § 300aa-15(e). In compliance with General Order #9, petitioners represent that all litigation costs were paid by their attorney and that they did not personally incur any costs in proceeding on the petition.

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.³

IT IS SO ORDERED.

s/Dee Lord
Dee Lord
Special Master

³ 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.