

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 02-1910V

Filed: July 1, 2011

Not to be Published

DAVID LANE and
MICHELLE LANE, parents of
AARON KEITH LANE, a minor child,

Petitioners,
v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent,

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Attorneys' Fees and Costs

DECISION¹

Vowell, Special Master:

The parties filed a Joint Stipulation of Facts Concerning Attorneys' Fees and Costs (Stipulation) on June 27, 2011. The parties' Stipulation indicated Petitioners submitted a draft Application for Attorney's Fees and Costs to respondent on or about June 20, 2011. The parties' Stipulation further indicated that in compliance with General Order #9, petitioners' counsel represents that he will reimburse petitioners for any personal litigation costs compensable under the Vaccine Act from the award of attorney's fees and costs in this case. Respondent's counsel indicated she had no objection to petitioners' request for attorneys' fees and other litigation costs.

¹ Because this unpublished decision contains a reasoned explanation for the action in this case, I intend to post this decision on the United States Court of Federal Claims' website, in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, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). In accordance with Vaccine Rule 18(b), petitioners have 14 days to identify and move to delete medical or other information, that satisfies the criteria in § 300aa-12(d)(4)(B). Further, consistent with the rule requirement, a motion for redaction must include a proposed redacted decision. If, upon review, I agree that the identified material fits within the requirements of that provision, I will delete such material from public access.

After reviewing the request, the court awards **\$3,954.06** in attorneys' fees and other litigation costs, which shall be made payable jointly to petitioners and petitioners' counsel, George G. Tankard, III. Petitioners are awarded reasonable attorneys' fees and costs pursuant to §§ 15(b) and (e)(1), as I find that the petition was brought in good faith and upon a reasonable basis, and the amounts requested are reasonable and appropriate. Petitioners' attorney shall be reimbursed from this award. The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

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

²Pursuant 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.