

The Honorable Judge Horn issued an [86] opinion remanding the case to me for further proceedings on February 25, 2010. Prior to further proceedings on remand, the parties reached a settlement on attorney fees and costs and memorialized that settlement in a [87] joint stipulation filed March 10, 2010.

As I noted in my June 24, 2009 decision, I find that this petition was brought in good faith and that there existed a reasonable basis for the claim. Therefore, an award for fees and costs is appropriate, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the proposed amounts seem reasonable and appropriate. Accordingly, I hereby award the total of \$117,691.15³ broken down as follows:

- a lump sum of \$6670.96, in the form of a check payable jointly to petitioners and petitioners' former counsel, Clifford J. Shoemaker, for petitioners' attorney fees and costs;
- a lump sum of \$105,000, in the form of a check payable jointly to petitioners and their counsel, Maglio, Christopher, Toale & Pitts, for petitioners' attorney fees and costs;
- and a lump sum of \$6020.19, in the form of a check payable to the petitioners for their own litigation costs.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.⁴

IT IS SO ORDERED.

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

³ This amount is intended to cover all legal expenses incurred in this matter, including those incurred on the motion for review. 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. § 300aa-15(e)(3) prevents an attorney from charging or collecting fees (including costs) that would be in addition to the amount awarded herein. See generally *Beck v. Sec'y, HHS*, 924 F.2d 1029 (Fed. Cir. 1991).

⁴ Entry of judgment can be expedited by each party's filing of a notice renouncing the right to seek review. See Vaccine Rule 11(a).