

OFFICE OF SPECIAL MASTERS

(Filed: March 9, 2006)

_____)	
MICHAEL DOHERTY,)	
father and next friend of his son,)	
DREW DOHERTY,)	
)	
Petitioner,)	
)	
v.)	No. 01-0393V
)	DO NOT PUBLISH
SECRETARY OF)	
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	
_____)	

**DECISION ON ATTORNEYS’ FEES, ATTORNEYS’ COSTS
AND PERSONAL EXPENSES¹**

Petitioner, Michael Doherty (Mr. Doherty), as next friend of his son, Drew Doherty (Drew), seeks an award of \$96,064.34 in attorneys’ fees, attorneys’ costs and personal expenses as defined by General Order No. 9 for an action that he pursued successfully under the National Vaccine Injury Compensation Program (Program).² *See generally* Petitioner’s Application for Fees and Costs (Fee Petition), filed January 25, 2006. Respondent does not object apparently. *See* Fee Petition at 1. Because Mr. Doherty received Program compensation, the Act mandates the award of “reasonable attorneys’ fees” and “other costs.” § 300aa-15(e)(1). The special master has reviewed carefully the Fee Petition. Based upon his experience, he determines that an award of \$96,064.34 is appropriate.

¹ 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 trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and 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.*

² The statutory provisions governing the Vaccine Program are found in 42 U.S.C. §§ 300aa-10 *et seq.* For convenience, further reference will be to the relevant section of 42 U.S.C.

In the absence of a motion for review filed under RCFC Appendix B, the clerk of court shall enter judgment in Mr. Doherty's favor for \$96,064.34. The judgment shall provide that Mr. Doherty's attorney of record, Ronald C. Homer, Esq. (Mr. Homer), may collect \$94,662.66 from Mr. Doherty.³ Under Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.

The clerk of court shall send Mr. Doherty's copy of this decision to Mr. Doherty by overnight express delivery.

John F. Edwards
Special Master

³ \$96,064.34 - \$1,401.68 for Mr. Doherty's personal expenses as defined by General Order No. 9.