

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 09-0405V

Filed: July 28, 2011

NOT TO BE PUBLISHED

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SAMANTHA M. GROVES, a minor  
by her mother and natural guardian  
JENNIFER M. GROVES

Petitioner,

v.

SECRETARY OF THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

Respondent.

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Attorneys' Fees and Costs

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### DECISION<sup>1</sup>

#### **GOLKIEWICZ, Special Master.**

The parties filed a Joint Stipulation of Fact Concerning Attorneys' Fees and Costs (Stipulation) on July 26, 2011. The parties' Stipulation indicated Petitioner submitted a draft Application for Attorney's Fees and Costs (Draft Application) to Respondent on or about May 31, 2011. The parties' Stipulation further indicated Respondent's counsel had reviewed petitioner's Draft Application and had certain objections to Petitioner's request for fees and costs. Petitioner's counsel agreed to reduce his request to a total of **\$9,600.00** in attorneys' fees

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<sup>1</sup>Because this unpublished decision contains a reasoned explanation for the action in this case, the undersigned intends to post this decision on the United States Court of Federal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), a party has 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, the undersigned agrees that the identified material fits within the requirements of that provision, such material will be deleted from public access.

and costs. In accordance with General Order #9, a statement from Petitioner indicating she had incurred \$0.00 in costs was attached to the Stipulation. Respondent's counsel indicated she had no objection to Petitioner's reduced request for attorneys' fees and other litigation costs.

After reviewing the request, the court awards **\$9,600.00** in attorneys' fees and other litigation costs, which shall be made payable jointly to petitioner and petitioner's attorney, Michael G. McLaren. The court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.<sup>2</sup>

**IT IS SO ORDERED.**

s/Gary J. Golkiewicz  
Gary J. Golkiewicz  
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.