

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

NIKKI L'HEUREUX, *

Petitioner, *

v. *

SECRETARY OF HEALTH *

AND HUMAN SERVICES, *

Respondent. *

No. 07-384V
Special Master Christian J. Moran

Filed: July 20, 2012

Attorneys' fees and costs; award
in the amount to which respondent
does not object.

UNPUBLISHED DECISION¹

Ronald C. Homer, Esq., Conway, Homer & Chin-Caplan, P.C., Boston, MA, for Petitioner;
Glenn A. Macleod, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Nikki L'Heureux filed her initial application for attorneys' fees and costs on June 14, 2012. After discussions between the parties, petitioner filed her amended application for fees and costs on July 18, 2012. The Court awards the amount to which respondent has not objected.

Ms. L'Heureux claimed that the trivalent influenza vaccine caused an adverse reaction and received compensation based upon the parties' stipulation. Decision, filed Dec. 22, 2011. Because Ms. L'Heureux received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Ms. L'Heureux seeks **\$53,146.61** in attorneys' fees and costs for petitioner's counsel. Additionally, Ms. L'Heureux filed a statement of costs in compliance with General Order No. 9, stating that she incurred **\$853.39** while pursuing this claim. Respondent stated that she had no objection to this application for attorneys' fees and costs.

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

After reviewing the request, the court awards the following:

1. **A lump sum of \$53,146.61 in the form of a check payable to petitioner's attorney, Ronald C. Homer, of the law firm Conway, Homer & Chin-Caplan, P.C., and petitioner, Nikki L'Heureux, for attorney's fees and costs available under 42 U.S.C. § 300aa-15(e).**
2. **A lump sum of \$853.39 in the form of a check payable to petitioner, Nikki L'Heureux.**

The court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
Special Master

² 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.