

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

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VILI KRALJEVIC,

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No. 99-454V

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Special Master Christian J. Moran

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Petitioner,

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Filed: February 26, 2010

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v.

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SECRETARY OF HEALTH  
AND HUMAN SERVICES,

\*

attorney's fees and costs, award in  
the amount to which respondent has  
not objected.

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Respondent.

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UNPUBLISHED DECISION<sup>1</sup>

Clifford J. Shoemaker , Esq., Shoemaker and Associates, Vienna, VA, for Petitioner;  
Heather L. Pearlman, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner, Vili Kraljevic, filed an application for attorneys' fees and costs on January 29, 2010. After informal discussions with respondent, Mr. Kraljevic revised his request. He is awarded the amount to which respondent has not objected.

After revision, Mr. Kraljevic has requested a total of **\$54,789.09** in attorneys' fees and **\$27,745.00** in costs. Additionally, Mr. Kraljevic filed a statement of costs in compliance with General Order No. 9, stating that he incurred **\$1,918.11** in litigation costs. Petitioner states that respondent has no objection to the stated amount for attorneys' fees and costs.

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<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002).

All decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, the person submitting the information has 14 days to identify and to move to delete such information before the document's disclosure. If the special master agrees that the identified material fits within the categories listed above, the special master shall redact such material from public access. 42 U.S.C. § 300aa-12(d)(4)(B); Vaccine Rule 18(b).

After reviewing the request, the undersigned finds the requested amounts reasonable.<sup>2</sup> Thus, petitioner is awarded attorneys' fees and other litigation costs. Those fees and costs are awarded as follows:

1. **A lump sum payment of \$82,534.09, in the form of a check payable to petitioner and petitioner's attorney, Shoemaker & Associates.**
2. **A lump sum payment of \$1,918.11, in the form of a check payable to petitioner only.**

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

The Clerk shall enter judgment accordingly.<sup>3</sup>

**IT IS SO ORDERED.**

S/ Christian Moran

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Christian J. Moran  
Special Master

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<sup>2</sup> The undersigned notes a concern with the amount of costs requested for Dr. Shoenfeld. See Pet'r Appl'n at pdf page 39 (listing airfare), at pdf 46 (copy of check for reimbursement of airfare without original receipt), and at pdf 66-67 (Dr. Shoenfeld's invoice, requesting compensation at an hourly rate that has not been awarded to him previously). The undersigned assumes that these concerns were addressed in the parties' discussions.

<sup>3</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.