

**OFFICE OF SPECIAL MASTERS**

**No. 04-1844V**

**Filed:** August 30, 2005

JASON GRIMAIL,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN  
SERVICES,

Respondent.

Unpublished  
Posted<sup>1</sup>

**DECISION (COSTS)**

On July 25, 2005, the petitioner filed a document requesting an award of costs in the amount of his filing fee.

Although Mr. Grimal did not receive Program compensation, he is entitled to “reasonable attorneys’ fees and other costs,” as long as the special master “determines that the petition was brought in good faith and there was a reasonable basis for the claim for which the petition was brought.” 42 U.S.C.A. § 300aa-15(e)(1). In general, a *pro se* petitioner is not entitled to compensation for time spent preparing his Vaccine Act petition. *Long v. HHS*, No. 94-310V (Fed. Cl. Spec. Mstr. Oct. 27, 1995) (unpublished). However, filing fees have long been included in “costs” that a petitioner, whether represented or not, may seek reimbursement for under 300aa-15(e)(1)(B). *See, e.g., Macrelli v. HHS*, No. 98-103V, 2002 WL 229811, at \*12 (Fed. Cl. Spec. Mstr. Fed.Cl. 2002).

The respondent does not contest an award of Mr. Grimal’s costs.

After reviewing the file, I find that this petition was brought in good faith and that there existed a reasonable basis for the claim. Therefore, an award of costs is appropriate. Further, the total figure of \$ 150 is appropriate, as it is the amount that the clerk’s office recorded on the docket as having been tendered with the petition. Accordingly, I hereby award the following

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<sup>1</sup>Because this document contains a reasoned explanation for my action in this case, I intend to post this order on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). Therefore, 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, this entire document will be available to the public. *Id.*

attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(e)(1)(B):

A lump sum of \$ 150, in the form of a check payable to petitioner, on account of petitioner's costs.

In the absence of a timely-filed motion for review of this Decision (see Appendix B, Rules of the United States Court of Federal Claims), the clerk shall enter judgment in accordance herewith.

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George L. Hastings, Jr.  
Special Master