

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 05-581V

Filed: July 30, 2008

Not to be published.¹

KATE MILLER, as parent and next friend of
Sara Miller, a minor,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN
SERVICES

Respondent.

Vaccine Act Attorneys' Fees

DECISION (ATTORNEYS' FEES)

HASTINGS, Special Master.

On July 28, 2008, the petitioner's counsel, Thomas S. Farnish,² submitted an application seeking an award of fees and costs incurred in this case filed under the National Vaccine Injury Compensation Program on behalf of Sara Miller. The application seeks a total of \$ 69,783.47. Counsel for respondent has already indicated telephonically, on July 21, 2008, that she would have no objection to such an award.

¹Because this document contains an 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.*

²Although Mr. Farnish was attorney of record in this case, his associate, Stephan E. Andersson, signed most of the papers in this case and appeared at status conferences on his behalf pursuant to RCFC 83.1(c)(2).

The proposed amount seem reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

A lump sum of **\$ 69,783.47**, in the form of a check payable jointly to petitioner and petitioner's counsel, **Thomas S. Farnish**, on account of petitioner's attorneys' fees and 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.

George L. Hastings, Jr.
Special Master