

OFFICE OF SPECIAL MASTERS

(Filed: March 3, 2006)

CERISE ADAMS and WALTER ADAMS,)	
as legal representatives of their daughter,)	
KAYLA ADAMS,)	
)	
Petitioners,)	
)	
v.)	No. 03-0263V
)	DO NOT PUBLISH
SECRETARY OF)	
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	
)	

DECISION ON ATTORNEYS' FEES AND COSTS¹

Petitioners, Cerise Adams and Walter Adams (Ms. Adams and Mr. Adams or the Adams), as legal representatives of their daughter, Kayla Adams (Kayla), seek an award of attorneys' fees and attorneys' costs for an action that they pursued successfully under the National Vaccine Injury Compensation Program (Program).² In a petition for attorneys' fees and attorneys' costs that they filed on February 21, 2006, the Adams request \$55,205.00. *See generally* Petition for Attorneys' Fees (Fee Petition), filed February 21, 2006. The Adams represent that they did not incur any personal expenses as defined by General Order No. 9. *See* Fee Petition, Exhibit F. Respondent objected informally to certain aspects of the Fee Petition. *See* Joint Status Report, filed March 2, 2006. The Adams acceded informally to respondent's objections, reducing their request to \$50,490.00. *See* Joint Status Report, filed March 2, 2006.

¹ 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, "the entire decision" will be available to the public. *Id.*

² The statutory provisions governing the Vaccine Program are found in 42 U.S.C. §§ 300aa-10 *et seq.* For convenience, further reference will be to the relevant section of 42 U.S.C.

Because the Adams received Program compensation, the Act mandates the award of “reasonable attorneys’ fees” and “other costs.” § 300aa-15(e)(1). The special master has reviewed carefully the Fee Petition. Based upon his experience, he determines that an award of \$50,490.00 is appropriate.

In the absence of a motion for review filed under RCFC Appendix B, the clerk of court shall enter judgment in the Adams’ favor for \$50,490.00. The judgment shall provide that the Adams’ attorney of record, Jamie M. Trapp, Esq. (Mr. Trapp), may collect \$50,490.00 from the Adams. Under Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.

The clerk of court shall send the Adams’ copy of this decision to the Adams by overnight express delivery.

John F. Edwards
Special Master