

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

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KELLY LAFFEY,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent,

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No. 14-526V

Special Master Christian J. Moran

Filed: August 15, 2016

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

Lawrence J. Disparti, Disparti Law Group, PA, Holiday, FL, for petitioner;
Lisa A. Watts, United States Dep't of Justice, Washington, D.C., for respondent.

UNPUBLISHED DECISION ON FEES AND COSTS¹

On August 2, 2016, petitioner filed a motion for final attorneys' fees and costs in the above-captioned matter. Respondent filed a response on August 9, 2016, raising no objections to the motion. Based on petitioner's motion and accompanying timesheets, the Court awards \$16,849.45.

On June 20, 2014, Kelly Laffey filed a petition for compensation alleging that the influenza ("flu") vaccine which she received on September 20, 2012, caused her to suffer acute respiratory distress syndrome. Petitioner received compensation based upon the parties' stipulation. Decision, issued Apr. 27, 2016, 2016 WL 2981391. Because petitioner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

¹ The E-Government Act, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), 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.

Petitioner seeks a total of **\$16,849.45** in attorneys' fees and costs. In compliance with General Order No. 9, petitioner represents to respondent that she advanced no monies for reimbursable costs in pursuit of her claim. Respondent has no objection to the amount requested for attorneys' fees and costs.

After reviewing the request, the Court awards the following:

A lump sum of \$16,849.45 in the form of a check made payable to petitioner and petitioner's attorney, Lawrence J. Disparti, of Disparti Law Group, PA, for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court shall enter judgment accordingly.²

Any questions may be directed to my law clerk, Shannon Proctor, at (202) 357-6360.

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.