

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

MEGAN E. HOMOLKA, as the Parent, *
and Natural Guardian of *
KADEN HOMOLKA, an Infant, *
*
Petitioner, *

No. 10-348V
Special Master Christian J. Moran

v. *

Filed: January 18, 2013

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

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

Respondent. *

UNPUBLISHED DECISION ON FEES AND COSTS¹

Mark T. Sadaka, Law Office of Sadaka Associates, LLC, Englewood, NJ, for Petitioner;
Ryan D. Pyles, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Megan E. Homolka, as the parent and natural guardian of her minor son Kaden Homoloka ("Kaden"), filed a stipulation of fact concerning attorneys' fees and costs on January 15, 2013. The Court awards the amount to which respondent does not object.

In her petition, petitioner alleged that the diphtheria-tetanus-acellular pertussis, hepatitis B, and/or inactivated poliovirus vaccines, either singly or in combination, caused Kaden to develop a seizure disorder and developmental delays/disability. Petitioner received compensation based upon the parties' stipulation. Decision, filed Dec. 13, 2012. Because petitioner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Ms. Homolka seeks a total of **\$34,865.86** in attorneys' fees and costs for petitioner's counsel, which amount includes \$26,388.00 in attorney and paralegal fees and \$8,477.86 in

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), 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.

costs. In accordance with General Order No. 9, petitioner states that she incurred no litigation expenses while pursuing this claim. Respondent does not object to the amount of fees and costs requested for the proceedings in this case.

After reviewing the request, the court awards a check made payable to petitioner and petitioner's attorney in the amount of **\$34,865.86** for attorneys' fees and other litigation costs. The court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

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

² 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.