

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

(Filed: August 6, 2014)

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MOHAMED EDOO and JULIET EDOO,  
parents of J.E., a minor,

Petitioners,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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UNPUBLISHED

No. 13-302V

Special Master Dorsey

Attorneys' Fees and Costs;  
Reasonable Amount Requested to which  
Respondent Does Not Object.

\* \* \* \* \*

Walter Samuel Holland, W. Sam Holland, Esq., Miami, FL, for petitioners.

Linda Sara Renzi, U.S. Department of Justice, Washington, D.C., for respondent.

### **ATTORNEYS' FEES AND COSTS DECISION<sup>1</sup>**

On April 30, 2013, Mohamed Edoos and Juliet Edoos ("petitioners"), as the parents and natural guardians of J.E., a minor, filed a petition pursuant to the National Vaccine Injury Compensation Program ("the Act").<sup>2</sup> 42 U.S.C. §§300aa-1 to -34 (2006). Petitioners alleged that J.E. sustained injuries, including Pervasive Development Disorder (PDD-NOS) and Acute Disseminated Encephalomyelitis (ADEM), resulting from adverse effects of the DTP/HIB and OPV vaccinations received on April 14, 1997, and the re-administered vaccination of DTP/HIB vaccination received on July 7, 1997, both of which likely aggravated an ongoing neurological condition and possibly an underlying mitochondrial dysfunction. On March 19, 2014, a decision

<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the action in this case, the undersigned intends to post this decision on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). In accordance with Vaccine Rule 18(b), a party has 14 days to identify and move to redact medical or other information, that satisfies the criteria in § 300aa-12(d)(4)(B). Further, consistent with the rule requirement, a motion for redaction must include a proposed redacted decision. If, upon review, the undersigned agrees that the identified material fits within the requirements of that provision, such material will be redacted from public access.

<sup>2</sup> The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-1 to -34 (2006) (Vaccine Act or the Act). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C. § 300aa.

was entered dismissing the case for insufficient evidence and for failure to prosecute. Judgment entered on that decision on April 21, 2014.

On August 5, 2014, the parties filed a Stipulation of Facts Concerning Attorneys' Fees and Costs. According to the stipulation, the parties stipulate to a total award to petitioners of attorneys' fees and costs in the amount of \$7,100.00. In accordance with General Order #9, the parties represent that petitioners have not incurred costs in pursuit of their claim.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of the parties' stipulation, the undersigned GRANTS the request for approval and payment of attorneys' fees and costs.

Accordingly, an award should be made as follows:

**in the form of a check jointly payable to petitioners and to petitioners' attorney, Mr. W. Sam Holland, in the amount of \$7,100.00. This amount represents all attorneys' fees and 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** in accordance with the terms of the parties' stipulation.

**IT IS SO ORDERED.**

s/Nora Beth Dorsey  
Nora Beth Dorsey  
Special Master