

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS

GARY ABDULLA,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., Boston, MA, for
petitioner;

Claudia B. Gangi, United States Dep't of Justice, Washington, DC, for respondent.

UNPUBLISHED DECISION AWARDING
ATTORNEYS' FEES AND COSTS¹

Gary Adbulla received compensation through the National Childhood Vaccine Injury Act, 42 U.S.C. §300aa—10 through 34 (2012). Decision, issued Feb. 13, 2015, 2014 WL 1119222. He now seeks an award of his attorneys' fees and costs. He is awarded **\$33,184.29**.

The present case is similar to other recently decided cases involving the law firm representing this petitioner. In short, the parties did not agree to a reasonable hourly rate for the attorneys representing petitioners in the Vaccine Program and the dispute led to litigation. For a more complete recitation of events, see

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.

McCulloch v. Sec'y of Health & Human Servs., No. 09-293V, 2015 WL 5634323 (Fed. Cl. Spec. Mstr. Sept. 1, 2015), and Avchen v. Sec'y of Health & Human Servs., No. 14-279V (Fed. Cl. Spec. Mstr. Dec. 4, 2015).

Mr. Abdulla presently requests an award of \$26,303.80 in attorneys' fees, \$8,073.99 in attorneys' costs, and \$350 in costs that he personally incurred. The Secretary's remaining objection concerns the amount of time the attorneys spent.

The Secretary's objection that work performed by multiple attorneys duplicated the work the primary attorney performed is well founded. This results in a deduction of \$1,543.50.

Mr. Abdulla is awarded \$33,184.29 in attorneys' fees and costs. This shall be paid as follows:

- a. **\$32,834.29** representing attorneys' fees and costs. The award shall be in the form of a check made payable jointly to petitioner and petitioner's attorney, Ronald Homer of Conway, Homer & Chin-Caplan, in the amount of **\$32,834.29**; and
- b. **\$350.00**, representing Mr. Abdulla's costs. The award shall be in the form of a check made payable to Mr. Abdulla for **\$350.00**.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.

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