

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

No. 10-441V  
Filed: July 3, 2012  
Unpublished

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BEVERLY WEBB,

Petitioner,

v.

SECRETARY OF THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

Respondent.

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Attorney fees and costs

*Diana Stadelnikas, Maglio Christopher & Toale, Sarasota, FL, for Petitioner.*  
*Julia Wernett McInerny, U.S. Department of Justice, Washington, D.C., for Respondent.*

**ATTORNEY’S FEES AND COSTS DECISION<sup>1</sup>**

**GOLKIEWICZ**, Special Master.

On July 3, 2012, the parties filed a Stipulation of Facts Concerning Attorneys’ Fees and Costs [hereinafter “Fee Stipulation”]. The Fee Stipulation states that the parties informally discussed fees and costs; based on these discussions, petitioner amended her request for fees and costs. Fee Stipulation at ¶¶ 2, 3, 5. The amount now requested, to which respondent does not object, is \$15,580.00. Fee Stipulation at ¶¶ 3, 4, 5. With the Fee Stipulation, petitioner also filed a Statement Regarding General Order #9, noting that petitioner herself did not incur costs related to this matter. P Statement Regarding General Order #9, filed Jul. 3, 2012.

The court hereby awards the petitioners attorney fees in the amount of \$15,580.00. **Specifically, petitioner is awarded a lump sum of \$15,580.00 in the form of a check payable jointly to petitioner and petitioner’s attorney.**

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<sup>1</sup> The undersigned intends to post this decision on the website for the United States Court of Federal Claims, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). **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 a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or 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. Any motion for redaction must be filed by no later than fourteen (14) days after filing date of this filing. Further, consistent with the statutory requirement, a motion for redaction must include a proposed redacted decision, order, ruling, etc.**

The Clerk of the Court is directed to enter judgment accordingly.<sup>2</sup>

**IT IS SO ORDERED.**

s/ Gary J. Golkiewicz  
Gary J. Golkiewicz  
Special Master

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<sup>2</sup> 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. Furthermore, this amount is intended to cover all legal expenses. This award encompasses all charges by the attorney against a client, “advanced costs” as well as fees for legal services rendered. Furthermore, 42 U.S.C.A. §300aa-15(e)(3) prevents an attorney from charging or collecting fees (including costs) which would be in addition to the amount awarded herein. See generally, Beck v. Secretary of the Dept. of Health & Human Servs., 924 F.2d 1029 (Fed. Cir. 1991).