

OFFICE OF SPECIAL MASTERS

No. [Redacted]V  
(Filed: February 20, 009; Re-filed Redacted March 9, 2009)

NOT TO BE PUBLISHED  
PUBLIC DOCUMENT

\*\*\*\*\*

JANE and JOHN DOE/25, \*  
as legal representatives of their son, \*  
CHILD DOE/25 \*

Petitioners, \*

Stipulation;  
Attorneys' Fees and Costs

v. \*

SECRETARY OF THE DEPARTMENT \*  
OF HEALTH AND HUMAN SERVICES, \*

Respondent. \*

\*\*\*\*\*

*Mindy Michaels Roth, Britcher, Leone & Roth, L.L.C., Glen Rock, NJ, for petitioner*

*Lisa Ann Watts, U.S. Department of Justice, Washington, D.C., for respondent*

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

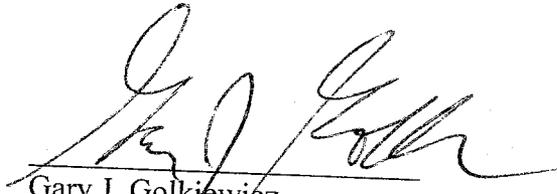
**GOLKIEWICZ, Chief Special Master**

On February 11, 2009, the parties to the above-captioned case filed a Stipulation memorializing their agreement as to the appropriate amount of attorney's fees and costs in this case. The court hereby **adopts** the parties' said Stipulation, attached hereto, and awards compensation in the amount and on the terms set forth therein. Petitioner's counsel represents

<sup>1</sup>The undersigned intends to post this decision on the United States Court of Federal Claims's website, 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 trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and 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.

that petitioner has not incurred any costs. See Stipulation, filed February 11, 2009; see also Affidavit of Fees and Costs, Exhibit C, filed January 15, 2009. Specifically, petitioner is awarded \$53,111.15 in attorneys' fees and costs in the form of a check payable to petitioner and petitioner's counsel Mindy Michaels Roth of Britcher, Leone & Roth, L.L.C.. The Clerk of the Court is directed to enter judgment accordingly.<sup>2</sup>

**IT IS SO ORDERED.**



Gary J. Golkiewicz  
Chief Special Master

---

<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.

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

\_\_\_\_\_, as legal )  
representatives of \_\_\_\_\_ )  
 )  
Petitioners, )  
 )  
v. )  
 )  
SECRETARY OF HEALTH )  
AND HUMAN SERVICES, )  
 )  
Respondent. )

No. 06-674V  
Chief Special Master  
Gary J. Golkiewicz

**STIPULATION OF FACT CONCERNING ATTORNEY'S FEES AND COSTS**

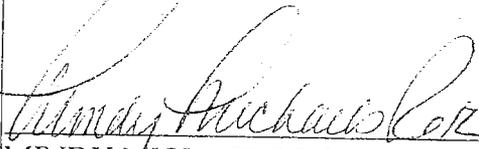
It is hereby stipulated by and between the parties, the following factual matters:

1. Mindy Michaels Roth is the attorney of record for petitioners, \_\_\_\_\_  
\_\_\_\_\_ Ms. Roth has been an active member of the United States Court of Federal  
Claims since 1990.
2. Petitioners filed their Attorney's Fees and Costs Application on January  
15, 2009.
3. In informal discussions, respondent raised objections to certain costs  
itemized in petitioners' initial application. Based on these discussions, petitioners have  
amended their Application for Attorney's Fees and Costs in this matter to request  
reimbursement for Attorney's Fees in the amount of \$18,225.00, and Attorney's Costs in  
the amount of \$34,886.15 for total fees and costs in the amount of \$53,111.15.
4. Petitioners previously filed their statement pursuant to General Order #9  
that they have not personally expended any costs in this matter.

5. The parties now agree that a decision should be entered awarding the attorney's fees and costs described in paragraphs 3 and 4 of this stipulation.

Respectfully submitted,

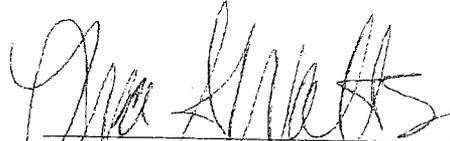
ATTORNEY OF RECORD FOR  
PETITIONERS:



MINDY MICHAELS ROTH, ESQ.  
BRITCHER, LEONE & ROTH, LLC  
175 Rock Road  
Glen Rock, NJ 07452  
Tel: (201) 444-1644

Dated: 2/5/09

ATTORNEY OF RECORD FOR  
RESPONDENT:



LISA A. WATTS  
Trial Attorney  
Torts Branch, Civil Division  
P.O. Box 146  
Benjamin Franklin Station  
Washington, D.C. 20044-0146  
Tel: (202) 616-4099

Dated: 2-11-2009