

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

No. 11-151V
Filed: May 18, 2012
Unpublished

TRACY ARAKELIAN and DAREN	*	
ARAKELIAN, Individually and as Parents	*	
and Natural Guardians of CHARLES	*	
ARAKELIAN, an Infant,	*	
	*	Attorneys' fees and costs
Petitioners,	*	
	*	
v.	*	
	*	
SECRETARY OF THE DEPARTMENT	*	
OF HEALTH AND HUMAN SERVICES,	*	
	*	
Respondent.	*	

W. Farley Jones, E. Stewart Jones, PLLC, Troy, NY, for Petitioners.
Chrysovalantis P. Kefalas, U.S. Department of Justice, Washington, D.C., for Respondent.

ATTORNEY'S FEES AND COSTS DECISION¹

GOLKIEWICZ, Special Master.

On May 17, 2012, the parties filed a Stipulation of Fact Concerning Attorneys' Fees and Costs [hereinafter "Fee Stipulation"]. The Fee Stipulation states that petitioners submitted a draft request for attorney fees and costs to respondent. Fee Stipulation at ¶ 2. The Fee Stipulation further states, "Petitioners request attorneys' fees in the amount of \$15,500.00 . . . and attorneys' costs in the amount of \$6,422.01, totaling \$21,922.01, to which respondent does not object." Fee Stipulation at ¶ 4. In compliance with General Order #9, the Fee Stipulation states that petitioners have not incurred any out-of-pocket expenses related to this Petition. Id. at

¹ 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.

¶ 5. “The parties now request that a decision awarding the attorneys’ fees and costs as described in paragraph 4 of this Stipulation, totaling \$21,922.01, be issued.” Id. at ¶ 6.

The court hereby awards petitioners attorney fees and costs in the total amount of \$21,922.01. **Specifically, petitioners are awarded a lump sum of \$21,922.01 in the form of a check payable jointly to petitioners and petitioners’ attorney of record.**

The Clerk of the Court is directed to enter judgment accordingly.²

IT IS SO ORDERED.

s/ Gary J. Golkiewicz
Gary J. Golkiewicz
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. 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).