

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 07-534V

Filed: October 20, 2011

NOT TO BE PUBLISHED

CADEN CATCHICK, a Minor, by Next Friend, *
CHRISTINE CATCHICK, *

Petitioners, *

Autism; Attorneys' Fees and
Costs

v. *

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

Respondent. *

DECISION¹

GOLKIEWICZ, Special Master.

The parties filed a Stipulation of Facts Concerning Attorneys' Fees and Costs (Stipulation) on October 18, 2011. The parties' Stipulation indicated Petitioner filed an Application for Attorneys' Fees and Costs on June 27, 2011. The parties' Stipulation further indicated after informal discussions with respondent petitioner's counsel agreed to reduce his request to a total of **\$3,799.22** in attorneys' fees and costs. Respondent's

¹Because this unpublished decision contains a reasoned explanation for the action in this case, the undersigned intends to post this decision on the United States Court of Federal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 delete 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 deleted from public access.

counsel indicated that respondent does not oppose petitioner's reduced request for attorneys' fees and other litigation costs. In lieu of filing a Vaccine General Order 9 statement, pursuant to the stipulation petitioner's counsel agrees to reimburse petitioners any costs that petitioners personally incurred that are compensable under the Vaccine Act.

The request for attorneys' fees and costs is granted. Petitioner is awarded reasonable attorneys' fees and costs pursuant to §§ 15(b) and (e)(1), as I find that the petition was brought in good faith and upon a reasonable basis, and the amounts requested are reasonable and appropriate.

Pursuant to §15(e), the court awards **\$3, 799.22**² in attorneys' fees and other litigation costs, which shall be made payable jointly to petitioner and petitioner's counsel Scott W. Rooney. The court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.³

IT IS SO ORDERED.

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

² This amount is intended to cover all legal expenses incurred in this matter. This award encompasses all charges by the attorney against a client, "advanced costs" as well as fees for legal services rendered. Furthermore, § 15(e)(3) prevents an attorney from charging or collecting fees (including costs) that would be in addition to the amount awarded herein. See generally Beck v. Sec'y of Dep't Health and Human Services, 924 F.2d 1029 (Fed. Cir.1991).

³ 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.