

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

No. 11-720V
Filed: January 3, 2012
Unpublished

EMMA M. SANDOVAL, a minor,
by her mother, MARTA M. SANDOVAL,

Petitioner,

v.

SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES,

Respondent.

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* Attorneys fees and costs
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ATTORNEY’S FEES AND COSTS DECISION¹

GOLKIEWICZ, Special Master.

This case was filed *pro se* on October 31, 2011.² Pet., filed Oct. 31, 2011. After a brief period and at petitioner’s request, both cases were concluded without prejudice on December 16, 2011. In the process of concluding her cases, petitioner made an informal request for return of the filing fee. Respondent was given time to file any objection to this request. Order, filed Dec. 16, 2011. Respondent’s counsel contacted the undersigned’s office on December 29, 2011, noting that respondent would not file an objection to reimbursement of petitioner’s filing fee.

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.**

² Petitioner filed one claim discussing her two children, alleging similar injuries. The Clerk of Court opened two actions, one for each child. See Sandoval v. Sec’y of the Dept. of Health & Human Servs., No. 11-722V (Fed. Cl.). One \$350.00 filing fee was paid.

Accordingly, the court hereby awards the petitioner litigation costs in the amount of \$350.00. **Specifically, petitioner is awarded a lump sum of \$350.00 in the form of a check payable to petitioner.**

The Clerk of the Court is directed to enter judgment accordingly.³

IT IS SO ORDERED.

Gary J. Golkiewicz
Special Master

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. 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).