

OFFICE OF SPECIAL MASTERS

No. 99-328V

Filed: January 11, 2006

JUDY SAARI,

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Petitioner,

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v.

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PUBLISHED

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SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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DECISION ON ATTORNEY’S FEES AND COSTS¹

On December 9, 2005, petitioner submitted an “Application for Attorneys’ Fees & Costs” [hereinafter “Application”]. In the Application, petitioner requests a grand total of \$35,769.10 in fees and costs. Application at 1. In addition, petitioner submitted a petitioner and counsel statement in accordance with General Order #9. Id. at 2-3. Respondent’s response to the Application was due on January 6, 2006.

On January 6, 2006, respondent’s counsel orally informed the court that after discussions, the parties agreed to reduce the figures in the Application to \$28,299.00 in fees and \$2,524.53 in costs. Petitioner and respondent confirmed with the court that these figures are correct.

¹Because this decision contains a reasoned explanation for the special master’s action in this case, 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). Therefore, as provided by Vaccine Rule 18(b), each party has fourteen (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.

Accordingly, based on the parties' discussions, the court finds that an award of **\$30,823.53** in fees and costs is appropriate. The award shall be made payable jointly to petitioner and her attorney.²

The Clerk shall enter judgment accordingly.

IT IS SO ORDERED.

Gary J. Golkiewicz
Chief Special Master

²This 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. § 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 Beck v. Secretary of Health and Human Services, 924 F.2d 1029 (Fed. Cir. 1991).