

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

No. 09-854V
Filed: October 18, 2010
Not to be Published

AMANDA FERRIS, as the legal	*	
representative of her minor son,	*	
LANDEN FERRIS,	*	
	*	
Petitioner,	*	Decision on attorney fees and costs
	*	
v.	*	
	*	
SECRETARY OF THE DEPARTMENT	*	
OF HEALTH AND HUMAN SERVICES,	*	
	*	
Respondent.	*	

Curtis R. Webb, Webb, Webb & Guerry, Twin Falls, I.D., for Petitioner.
Althea Walker Davis, U.S. Department of Justice, Washington, D.C., for Respondent.

ATTORNEY’S FEES AND COSTS DECISION¹

GOLKIEWICZ, Special Master.

On October 12, 2010, petitioner filed an unopposed Petition for Attorneys Fees and Costs [hereinafter “Fee Petition”]. Petitioner requests \$5,808.00 in attorney fees and \$652.94 in costs; the total amount requested for attorney fees and costs is \$6,460.94. Fee Petition, 1, 3. The Fee Petition states, “The Respondent has reviewed this material and does not object to an award of attorney fees and costs in the amount requested” Fee Petition, 1.

In compliance with General Order #9, petitioner filed a Statement Concerning Costs on October 12, 2010, stating, “Petitioner has incurred no costs in the prosecution of the Petition for Vaccine Compensation” Petitioner’s Statement Concerning Costs, filed October 12, 2010.

¹ 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, 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.

Upon review of the Fee Petition and the record in this matter, the court hereby awards the petitioner attorney fees and costs in the amount requested. **Specifically, petitioner is awarded a lump sum of \$6,460.94 in the form of a check payable jointly to petitioner and petitioner's attorney of record.**

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

IT IS SO ORDERED.

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. 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).