

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 09-433 V

Filed: April 6, 2011

Not for Publication

LETASHA BETANCOURT, *
personal representative for the estate of *
ANDREW RAHMEL BREEDEN, JR. *
a/k/a ANDREW BETANCOURT, *

Petitioner, *

v. *

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

Respondent. *

Brian R. Arnold, Dallas, TX, for petitioner.

Heather L. Pearlman., Washington, DC, for respondent.

Attorneys' Fees and Costs

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On March 8, 2011, petitioner filed an application for attorneys' fees and costs. On April 5, 2011, Petitioner, along with Respondent, contacted my law clerk to inform the court that the parties had settled the issue of attorneys' fees and costs. Petitioner has agreed to reduce her request to a total of \$21,535.64, which represents costs in the amount of \$3,885.64 and fees in the

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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). Vaccine Rule 18(b) states that all decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would constitute a clearly unwarranted invasion of privacy. When such a decision is filed, petitioner has 14 days to identify and move to delete such information prior to the document's disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall delete such material from public access.

amount of \$17,650.00. Respondent does not object to these amounts. The court finds the amount requested by Petitioner to be reasonable. In compliance with General Order #9, petitioner states that she has not incurred any expenses.

The court hereby adopts the parties' agreement. The court awards a total of **\$21,535.64**, representing reimbursement for attorneys' fees and costs. The award shall be in the form of one check made jointly payable to petitioner and the law firm Treuhaft & Zakarin, LLP

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.²

IT IS SO ORDERED.

Dated: April 6, 2011

/s/ Laura D. Millman

Laura D. Millman
Special Master

² Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party's filing a notice renouncing the right to seek review.