

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

RACHEL KAY,

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Petitioner,

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No. 01-467V

v.

*

Special Master Christian J. Moran

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SECRETARY OF HEALTH

*

AND HUMAN SERVICES,

*

Filed: March 26, 2008

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Respondent.

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ATTORNEYS' FEES AND COSTS DECISION*

Petitioner, Rachel Kay, seeks reimbursement for her attorneys' fees and costs. The Court awards the amount to which respondent has not objected.

On February 13, 2008, Ms. Kay filed an application for attorneys' fees and costs. Ms. Kay indicated that she, personally, did not incur any costs. Respondent, apparently, objected to part of Ms. Kay's request and negotiations followed.

On March 5, 2008, respondent filed a joint status report stating that Ms. Kay sought an amount that was reduced from her original request. Later, respondent orally communicated that respondent did not object to the amended amounts.

¹ 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). 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 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.

After reviewing the request, the court awards **\$37,700.40** in attorney's fees and other litigation costs. This amount is divided as follows:

Payee	Amount
Ms. Kay and Maglio, Christopher & Toale	\$26,149.32
Ms. Kay and Shoemaker and Associates	\$11,000.00
Ms. Kay and McCardle, Frost & Klapacz	\$551.08
TOTAL	\$37,700.40

The court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.¹

S/ Christian J. Moran

Christian J. Moran
Special Master

¹ 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.