

OFFICE OF SPECIAL MASTERS

No. 02-724V

Filed: June 29, 2006

NOT TO BE PUBLISHED

R. DARRELL WEAVER, administrator of *
the estate of ASHLEY WEAVER, *

Petitioner, *

Attorneys' Fees and Costs

v. *

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

Respondent. *

ATTORNEYS' FEES AND COSTS DECISION¹

On November 14, 2005, petitioners filed their Application for Attorneys' Fees and Costs and a signed statement by petitioner in accordance with General Order No. 9. Upon review, respondent had objections to this request. Petitioners subsequently agreed to reduce the fees and number of hours and filed their Amended Application for Attorneys' Fees and Costs on June 8, 2006. On June 22, 2006, respondent's counsel orally informed the court that respondent does not object to petitioner's amended request of \$13,316.30 in attorney's fees, \$2,208.16 in attorney's costs, and \$393.30 in petitioner's costs.

Accordingly, the court finds that an award of **\$13,316.30 in fees** and **\$2,208.16 in costs** is appropriate. The award shall be made payable jointly to petitioner and her attorney. Additionally, an award of **\$393.30 in petitioner's costs** is appropriate. The award shall be made payable solely to petitioner.

¹The 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.

The clerk shall enter judgment accordingly.²

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.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 HHS, 924 F.2d 1029 (Fed. Cir. 1991).