

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 10-247 V

Filed: September 28, 2011

Not for Publication

JACK ORTEGREN, a minor, by and *
through his Parent and Natural *
Guardian, KIRK ORTEGREN, *

Petitioner, *

v. *

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

Respondent. *

Larry G. Michel, Salina, KS, for petitioner.

Chrysovalantis P. Kefalas, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

On September 27, 2011, the parties filed a stipulation, in which they agreed to settle the attorneys' fees and costs in this case. Petitioner requests **\$17,839.46** in fees and costs for the firm Kennedy Berkley Yarnevich & Williamson, Chtd., and **\$1,000.00** in fees and costs for the firm Kinsey Rowe Becker & Kistler, LLP.

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub.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 redact 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 redact such material from public access.

Pursuant to General Order #9, petitioner states that he incurred out-of-pocket expenses of **\$1,300.00** to pursue the petition.

The court finds the amounts to be reasonable and hereby adopts the parties' stipulation and awards compensation in the amount and on the terms set forth therein. Pursuant to the stipulation, the court awards:

- a. **\$17,839.46**, representing reimbursement for attorneys' fees and costs to Kennedy Berkley Yarnevich & Williamson. The award shall be in the form of a check made jointly payable to petitioner and the law firm Kennedy Berkley Yarnevich & Williamson, Chtd.
- b. **\$1,000.00**, representing reimbursement for attorneys' fees and costs to Kinsey Rowe Becker & Kistler. The award shall be in the form of a check made jointly payable to petitioner and the law firm Kinsey Rowe Becker & Kistler, LLP.
- c. **\$1,300**, representing reimbursement for costs incurred by petitioner. The award shall be in the form of a check made solely payable to petitioner.

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

IT IS SO ORDERED.

Dated: _____

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.