

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS**

No. 09-689V

Filed: February 24, 2011

CRYSTAL GOODWIN,	*	
	*	
Petitioner,	*	Attorney Fees and
v.	*	Costs
	*	
SECRETARY OF HEALTH	*	
AND HUMAN SERVICES,	*	
	*	
Respondent.	*	
	*	

DECISION ON ATTORNEY FEES AND COSTS¹

Vowell, Special Master:

In this case under the National Vaccine Injury Compensation Program,² the parties, on January 31, 2011, filed a joint stipulation agreeing to settle this case and describing the settlement terms. On February 1, 2011, I issued a Decision on Joint Stipulation reflecting those settlement terms. On February 16, 2011, the petitioner filed a motion for attorney fees and costs in this matter, along with an accounting of her attorney's hours and expenses and with a statement pursuant to General Order #9. Respondent does not object to the amended request stated in the February 16, 2011 filing.

Petitioner is entitled to reasonable attorney fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the proposed amount seems reasonable and appropriate. **Accordingly, I hereby award the total \$47,108.45³ as follows:**

¹ Because this unpublished decision contains a reasoned explanation for the action in this case, I intend to post this decision on the United States Court of Federal Claims' website, in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, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). In accordance with Vaccine Rule 18(b), petitioner has 14 days to identify and move to delete medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will delete such material from public access.

² The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2006).

³ This amount is intended to cover all legal expenses incurred in this matter. 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. § 300aa-15(e)(3) prevents an attorney from charging or collecting fees (including

- a lump sum of \$46,590.92 in the form of a check payable jointly to petitioner, Crystal Goodwin, and petitioner's counsel of record, Carol L. Gallagher, for petitioner's attorney fees and costs, and unpaid costs, and
- a lump sum of \$517.53 in the form of a check payable to petitioner, Crystal Goodwin, for her litigation costs.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.⁴

IT IS SO ORDERED.

s/ Denise K. Vowell
Denise K. Vowell
Special Master

costs) that would be in addition to the amount awarded herein. See generally *Beck v. Sec'y, HHS*, 924 F.2d 1029 (Fed. Cir.1991).

⁴ Entry of judgment can be expedited by each party's filing of a notice renouncing the right to seek review. See Vaccine Rule 11(a).