

OFFICE OF SPECIAL MASTERS

No. 04-369V

Filed: August 16, 2005

TRACEY A. CAPTAN, as parent and *
natural guardian of JADE CAPTAN, *

Petitioner, *

NOT TO BE PUBLISHED

v. *

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

Respondent. *

ATTORNEYS' FEES AND COSTS DECISION¹

On August 5, 2005, petitioner's counsel filed petitioner's Application for Attorney's Fees and Costs and petitioner's statement in compliance with General Order #9. On August 15, 2005, respondent's counsel orally informed the court that respondent does not object to petitioner's request of \$7,250.07 in attorney's fees and costs. Accordingly, the court finds that an award of **\$7,250.07 in fees and costs** is appropriate. The award shall be made payable jointly to petitioner and her attorney.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

Gary J. Golkiewicz
Chief Special Master

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.

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).