

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS

No. 07-472V
Filed: June 18, 2010

ANDREA HODGES,)	
)	
Petitioner,)	
)	
v.)	Attorney fees and costs
)	
SECRETARY OF)	
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	
)	

James J. Orland, Law Offices of James J. Orland, Long Beach, C.A., for Petitioner.
Heather L. Pearlman, U.S. Department of Justice, Washington, D.C., for Respondent.

ATTORNEY'S FEES AND COSTS DECISION¹

GOLKIEWICZ, Special Master.

On June 15, 2010, the parties filed a Stipulation of Fact Concerning Attorney's Fees and Costs [hereinafter "Stipulation"]. The Stipulation states that petitioner submitted a draft application for fees to respondent. Based upon informal discussions wherein respondent raised certain objections, petitioner has amended her Application for Fees to request \$25,455.00 in attorney fees and \$814.84 in costs; totaling \$26,269.84 in attorney's fees and costs. The Stipulation further states, "[t]he parties request that a decision awarding the attorney's fees and costs described in paragraphs 3 and 4 of this stipulation, totaling \$26,269.84, be issued" See Stipulation, ¶ 6.

In compliance with General Order #9, petitioner filed a statement confirming petitioner did not incur costs in the pursuit of this Petition. Stipulation, attachment, Petitioner's Statement Concerning Costs, filed June 15, 2010.

The court hereby awards the petitioner \$25,455.00 in attorney fees and \$814.84 in costs.

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 a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or 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.

Specifically, petitioner is awarded a lump sum of \$26,269.84 in the form of a check payable jointly to petitioner and petitioner's attorney.

The Clerk of the Court is directed to enter judgment accordingly.²

IT IS SO ORDERED.

Gary J. Golkiewicz
Special Master

²Pursuant 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.

Furthermore, this 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 the Dept. of Health & Human Servs., 924 F.2d 1029 (Fed. Cir. 1991).