

OFFICE OF SPECIAL MASTERS

No. 01-579V

Filed: August 9, 2005

BEULAH NIX,

*

*

Petitioner,

*

*

v.

*

NOT TO BE PUBLISHED

*

SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES,

*

*

*

Respondent.

*

ATTORNEYS' FEES AND COSTS DECISION¹

On July 29, 2005, respondent's counsel orally informed the court that respondent does not object to petitioner's request of \$38,509.38 in attorney's fees and \$10,647.70 in costs. On August 8, 2005, the court received petitioner's statement in compliance with General Order #9. Accordingly, the court finds that an award of \$38,509.38 in fees and \$10,647.70 in 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).