

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

No. 08-661V

Filed: May 10, 2010

KATHERINE PTAK

Petitioner,

v.

SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES,

Respondent.

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Attorneys' fees and costs

ATTORNEY'S FEES AND COSTS DECISION¹

GOLKIEWICZ, Special Master.

On April 16, 2010, petitioner in the above-captioned case filed an Application for Attorneys' Fees and Costs. P Motion, filed April 16, 2010. Petitioner requested \$14,730.50 in attorneys' fees; \$130.58 in attorney costs; and \$268.26 in petitioner's costs. The total amount requested is \$15,129.34. In accordance with General Order #9, petitioner filed a statement on April 16, 2010, attesting to the above costs. Petitioner and Counsel Statement, filed April 16, 2010. Respondent communicated to the undersigned's office on April 28, 2010, that no objection will be raised to this application.

The court hereby awards the petitioner \$15,129.34 in attorneys' fees and litigation costs. **Specifically, petitioner is awarded \$14,861.08 in the form of a check payable jointly to petitioner and petitioner's attorney of record; petitioner is also awarded \$268.26 in the form of a check payable to petitioner.**

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 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.

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

IT IS SO ORDERED.

s/ Gary J. Golkiewicz

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 HHS, 924 F.2d 1029 (Fed. Cir. 1991).