

In the United States Court of Federal Claims

ORIGINAL
OFFICE OF SPECIAL MASTERS

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No. 98-438V

Filed: June 8, 2005

FILED
JUN - 8 2005
U.S. COURT OF
FEDERAL CLAIMS

CARMEN RICE, mother and legal guardian *
to OWEN BURMAN, a minor *

Petitioner, *

v. *

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

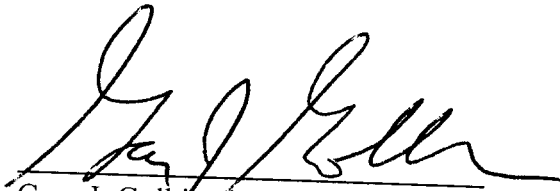
Respondent. *

NOT TO BE PUBLISHED

DECISION¹

On June 6, 2005, the parties to the above-captioned case filed a Stipulation memorializing their agreement as to the appropriate amount of attorneys' fees and costs in this case. The court hereby **grants** the parties' said Stipulation. 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).

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

CARMEN RICE, mother and)	
legal guardian)	
to OWEN BURMAN, a minor)	
)	
Petitioner,)	
)	
v.)	No. 98-438V
)	
SECRETARY OF HEALTH AND)	Chief Special Master
HUMAN SERVICES,)	Gary J. Golkiewicz
)	
Respondent.)	
)	

STIPULATION OF FACT CONCERNING ATTORNEY'S FEES AND COSTS

It is hereby stipulated by and between the parties, the following factual matters:

1. William Dobreff is the attorney of record for petitioner, Carmen Rice. Prior to Mr. Dobreff, petitioner was represented by Mark L. Silverman. Both attorneys are entitled to fees and costs in this case.
2. The total attorney's fees and costs incurred by petitioner's attorney Mr. Dobreff in this case were \$55,897.06. The total fees and costs incurred by petitioner's attorney Mr. Silverman in this case were \$70,000.
3. The parties further stipulate that no costs were paid by the petitioner.
4. The parties now agree that a decision should be entered awarding the attorney's fees and costs described in paragraph 2 of this Stipulation.

Respectfully submitted,

**ATTORNEY OF RECORD FOR
PETITIONER:**



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