

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

No. 03-1952V

Filed: March 9, 2006

MADISON RINDFLEISCH, by her *
Mother and Next Friend, *
LORI RINDFLEISCH, *

Petitioner, *

UNPUBLISHED

v. *

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

Respondent. *

ATTORNEY’S FEES AND COSTS DECISION¹

On February 13, 2006, petitioner’s counsel filed “Petitioner’s Application for Fees and Costs” and a signed statement by petitioner in accordance with General Order No. 9. The petition indicated that upon review of a draft copy of petitioner’s application, respondent’s counsel had objections to this request. Petitioner’s counsel subsequently agreed to reduce the fees and costs. The February 13, 2006 application reflects the agreed upon amounts. On March 1, 2006, respondent’s counsel orally informed the court that respondent does not object to petitioner’s request of \$43,000.00 in attorney’s fees, \$9,148.14 in attorney’s costs, and \$150.00 in petitioner’s costs.

Accordingly, the court finds that an award of **\$43,000.00 in fees** and **\$9,148.14 in costs** is appropriate. The award shall be made payable jointly to petitioner and her attorney. The remaining **\$150.00 in costs** shall be made payable solely to petitioners. The court thanks the parties for their cooperative efforts in resolving this matter.

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.

The clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

Gary J. Golkiewicz
Chief Special Master

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).