

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 07-244V

Filed: February 1, 2010

ROBERT E. CURTIS and BARBARA)	
CURTIS,)	
)	NOT TO BE PUBLISHED
Petitioners,)	
)	Stipulation; Attorney's Fees and Costs
v.)	
)	
SECRETARY OF)	
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	

Firooz Taghi Namei, Cincinnati, OH, for Petitioners.

Voris E. Johnson, United States Department of Justice, Washington, D.C., for Respondent

ATTORNEYS' FEES AND COSTS DECISION¹

LORD, Special Master.

The parties in the above captioned case filed "Stipulation of Fact Concerning Attorneys' Fees and Costs" (Stipulation) on January 19, 2010. In the Stipulation, the parties agreed to a total award of \$62,516.52 for attorney's fees and costs. Id. Petitioners represented that they did not incur any personal litigation costs. Stipulation Attach. 2 at 2.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300aa-15(e). After reviewing the request, the court finds the stipulated award of \$62,516.52 in

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 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 ruling will be available to the public. Id.

attorneys' fees and costs to be reasonable. Based on the request's reasonableness and the parties' agreement, the undersigned **GRANTS** Petitioners' request as outlined in the Stipulation.

Accordingly, pursuant to Vaccine Rule 13, Petitioners are awarded a total of **\$62,516.52 in attorneys' fees and costs**, all of which shall be made payable jointly to Petitioners and Petitioners' attorney.²

The court thanks the parties for their cooperative efforts in resolving this matter. In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment according to this decision.³

IT IS SO ORDERED.

s/ Dee Lord
Dee Lord
Special Master

² 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. Sec'y of Dep't of Health & Human Servs., 924 F.2d 1029 (Fed. Cir. 1991).

³ Pursuant 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.

