

**OFFICE OF SPECIAL MASTERS**

No. 03-2479V

Filed: August 22, 2006

Not for Publication

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PATRICIA LEE,

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Petitioner,

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v.

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Attorney's fees

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SECRETARY OF THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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**DECISION ON ATTORNEY'S FEES AND COSTS<sup>1</sup>**

On July 25, 2006, petitioner filed an "Application for Attorneys' Fees and Costs" [hereinafter "Application"]. In the Application, petitioner states that on or about June 21, 2006, petitioner provided to respondent a draft copy of her fees and costs application. Respondent had objections, to which petitioner agreed to reduce the amounts requested. In the Application, petitioner requests an award of attorneys' fees in the amount of \$54,348.00 and \$14,091.11 in costs. On August 4, 2006, petitioner submitted a "Petitioner's Statement in Compliance with General Order No. 9." Petitioner's counsel also indicated in the Application that respondent's counsel has no objection to the Application.

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<sup>1</sup>Because this decision contains a reasoned explanation for the special master's action in this case, 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). Therefore, as provided by Vaccine Rule 18(b), each party has fourteen (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 undersigned has examined petitioner's Application and finds that an award of **\$ 68,439.11** in fees and costs is appropriate. The award shall be made payable jointly to petitioner and her attorney.<sup>2</sup>

The Clerk shall enter judgment accordingly.

**IT IS SO ORDERED.**

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Gary J. Golkiewicz  
Chief Special Master

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<sup>2</sup>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. § 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 Beck v. Secretary of Health and Human Services, 924 F.2d 1029 (Fed. Cir. 1991).