

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 06-394V

Filed: May 22, 2008

FORREST and EKATERINA "KATIA"
BOWMAN, as the legal representatives of their
minor son, FORREST GEORGE BOWMAN,

Petitioners,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Interim Attorney's Fees and
Costs

INTERIM ATTORNEY'S FEES AND COSTS DECISION¹

GOLKIEWICZ, Chief Special Master.

Petitioners filed an Interim Petition for Attorney's Fees and Costs on May 1, 2008. On May 14, 2008, the parties contacted the Court via telephone. Respondent's counsel indicated she had reviewed petitioners' Interim Petition for Attorney's Fees and Costs and had no objections to petitioners' request for fees and costs, with the exception that the total filing fee paid to the court by counsel should reflect \$250.00 and not \$350.00. Petitioners' counsel agreed \$250.00 was the correct filing fee paid² and agreed to reduce his request by \$100.00 to a total of **\$67,265.31**. Respondent's counsel indicated she had no objection to petitioners' reduced request for

¹ Because this decision contains a reasoned explanation for the undersigned's action in this case, the undersigned intends to post this decision on the United States Court of Federal Claims' 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.

² This error was due to a typographical mistake in the Interim Petition for Attorney's Fees and Costs.

attorney's fees and other litigation costs.

Petitioners are entitled to an award of interim attorney's fees and costs. The undersigned determines that there is no just reason to delay the entry of judgment for an award of interim attorney's fees and costs. See Avera v. Secretary of HHS, 515 F.3d 1343, 1352 (Fed. Cir. 2008). After reviewing the request, the court awards **\$67,265.31** in interim attorney's fees and other litigation costs, made payable jointly to petitioners and their attorney. The court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment immediately.³

IT IS SO ORDERED.

Gary J. Golkiewicz
Chief Special Master

³ The court expects respondent to execute the judgment as soon as possible in order to meet the policy behind the interim fees and costs award.