

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 01-0638V
(Not to be published)

Dean Walcott, by his mother and
next friend, KAREN WALCOTT,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES

Respondent.

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Filed: August 27, 2012

Autism; Decision on Attorney's
Fees and Costs

DECISION¹ (ATTORNEY FEES AND COSTS)

In this case under the National Vaccine Injury Compensation Program,² I issued a decision on February 21, 2012. On August 20, 2012, the parties filed a Stipulation of Facts Concerning Attorney's Fees and Costs in this matter. The parties' stipulation requests a total payment of \$13,878.77, representing attorney's fees and costs of \$13,728.77, and \$150.00 of costs expended by petitioner.

An award for fees and costs is appropriate at this time, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the proposed amounts seem reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

¹ 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, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). 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 The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2006).

- a lump sum of \$13,728.77, in the form of a check payable jointly to petitioner and petitioner's counsel, Ronald Homer, on account of services performed by counsel's law firm.
- a lump sum of \$150.00, in the form of a check payable to Karen Walcott, which represents petitioner's own litigation expenses in this case.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.

IT IS SO ORDERED

/s/ George L. Hastings, Jr.
George L. Hastings, Jr.
Special Master

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

DEAN WALCOTT, by his *
 Mother and next friend, *
KAREN WALCOTT *
 *
 Petitioner, *
 * No. **01-638V**
 v. * Special Master
 * **GEORGE L. HASTINGS, Jr.**
 SECRETARY OF HEALTH *
 AND HUMAN SERVICES, *
 *
 Respondent. *

STIPULATION OF FACT CONCERNING ATTORNEYS' FEES AND COSTS

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

1. Ronald C. Homer, is the attorney of record for petitioner in this matter.
2. Petitioner provided the respondent with a draft of his Application for Attorneys' Fees and Costs on July 13, 2012.
3. In informal discussions, respondent raised objections to certain items in petitioner's Application. Based on these discussions, petitioner has amended his Application in this matter to request reimbursement for attorneys' fees in the amount of \$12,072.20, attorneys' costs in the amount of \$1,656.57 and petitioner's costs of \$150.00, totaling \$13,878.77, to which the respondent does not object.

4. The parties now request that a decision awarding attorneys' fees and costs described in paragraph 3 of this stipulation be issued, totaling \$13,878.77.

DATED: August 20, 2012

Respectfully submitted,

s/Traci R. Patton_____
Traci R. Patton
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s/Ronald C. Homer_____
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