

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 10-0129V
(Not to be published)

 *
 LEE ALLEN, *
 *
 Petitioner, *
 *
 v. *
 *
 SECRETARY OF HEALTH AND *
 HUMAN SERVICES *
 *
 Respondent. *
 *

Filed: December 3, 2012
 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 November 14, 2012. On November 30, 2012, the parties filed a stipulation concerning attorney's fees and costs in this matter. The parties' stipulation requests payment of \$49,943.83, representing all attorney's fees and costs, and \$850.00 for petitioner's own costs in pursuit of this claim.

I find that this petition was brought in good faith and that there existed a reasonable basis for the claim. Therefore, an award for fees and costs is appropriate, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the amounts proposed in the parties' stipulation seem reasonable and appropriate. **Accordingly, I hereby award the following payments for petitioner's attorney's fees and costs:**

- A lump sum of \$13,443.83, in the form of a check payable jointly to petitioner and petitioner's counsel, Raul G. Lomas, for attorney's fees and costs.

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 \$36,500.00, in the form of a check payable jointly to petitioner and petitioner's counsel, Anne Carrión Toale, for attorney's fees and costs.
- A lump sum of \$850.00, in the form of a check payable to petitioner, for petitioner's litigation costs.

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