

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 06-279V

Filed: October 20, 2008

Not to be published.<sup>1</sup>

JOHN ALARCON,

Petitioner,

v.

Vaccine Act Attorney's Fees

SECRETARY OF HEALTH AND HUMAN  
SERVICES,

Respondent.

### DECISION (ATTORNEYS' FEES)

On October 14, 2008, the petitioner submitted an application seeking an award for fees and costs incurred in this case filed under the National Vaccine Injury Compensation Program. The application seeks a total of \$ 34,750.47. On October 20, 2008, counsel for respondent telephonically indicated to my staff that counsel has no objection to such an award of fees and costs.

The proposed amount seems 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):

- A lump sum of \$ **34,449.22**, in the form of a check payable jointly to petitioner and petitioner's counsel, **Ronald C. Homer**, on account of services performed by counsel's law firm and costs expended by that firm; and
- a lump sum of \$ **301.25**, in the form of a check payable to petitioner, on account of costs incurred reasonably by petitioner.

In the absence of a timely-filed motion for review of this Decision (see Appendix B, Rules of the United States Court of Federal Claims), the clerk shall enter judgment in accordance herewith.

/s/George L. Hastings, Jr.

George L. Hastings, Jr.  
Special Master

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<sup>1</sup>This document will not be sent to electronic publishers as a formally "published" opinion. However, because this document contains a reasoned explanation for my action in this case, I intend to post this document 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). Therefore, 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, this entire document will be available to the public. *Id.* See also 42 U.S.C. § 300aa-12(d)(4)(B).