

OFFICE OF SPECIAL MASTERS

No. 00-664V

Filed: October 18, 2005

STEPHEN FRECHETTE, legal representative
of the estate of Lisa Frechette,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN
SERVICES

Respondent.

Unpublished

To be posted on court website¹

DECISION (ATTORNEYS' FEES)

HASTINGS, Special Master.

On October 14, 2005, the petitioner's counsel, Ronald Craig Homer, submitted a motion for attorneys' fees, seeking an award of fees and costs incurred in this case filed under the National Vaccine Injury Compensation Program on behalf of Lisa Frechette. The motion seeks a total of \$ 42,500 and indicates that respondent has no objection. Counsel for respondent confirmed with my law clerk by telephone that respondent has no objection to such an award of attorneys' fees and costs in the following amounts:

\$ 41,891.18 in legal fees;
\$ 583.82 in costs borne by petitioner's counsel; and
\$ 25.00 in costs borne by petitioner.

After reviewing the file I find that this petition was brought in good faith and that there existed a reasonable basis for the claim. Therefore, an award of fees and costs is appropriate.

¹Because this document contains a reasoned explanation for my action in this case, I intend to post this order 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, 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, this entire document will be available to the public. *Id.*

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):

- ! A lump sum of \$ 42,475.00, in the form of a check payable jointly to petitioner and petitioner's counsel, Ronald Craig Homer, on account of petitioner's attorneys' fees and costs; and
- ! A lump sum of \$ 25.00, payable to the petitioner, on account of his own litigation costs.

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.

George L. Hastings, Jr.
Special Master