

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 12-695V
(Not to be published)

THOMAS CARCONE, *
*
 Petitioner, *
*
 v. *
*
SECRETARY OF HEALTH AND *
HUMAN SERVICES *
*
 Respondent. *

Filed: June 28, 2013

Decision on Attorneys’
Fees and Costs

DECISION¹ (ATTORNEY FEES AND COSTS)

In this case under the National Vaccine Injury Compensation Program,² a Decision was issued by Special Master Hamilton-Fieldman on June 18, 2013. The parties filed a stipulation on June 28, 2013, concerning attorney’s fees and costs in this matter. The parties’ stipulation requests a payment of \$11,148.18, representing attorney’s fees and costs. Pursuant to General Order #9, Petitioner stated that he has not paid any costs or fees associated with this application.

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 proposed amount seems reasonable and appropriate. **Accordingly, I hereby award the total of \$11,148.18, as a**

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).

lump sum in the form of a check payable jointly to Petitioner and Petitioner's counsel, John R. Howie Jr., Esq.

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/ Lisa Hamilton-Fieldman.

Lisa Hamilton-Fieldman
Special Master