

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 15-1488V
(Not to be published)

*
RICHARD HESSE, *
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*
Petitioners, *
*
v. *
*
SECRETARY OF HEALTH AND *
HUMAN SERVICES *
*
Respondent. *

Filed: August 23, 2016

Decision on Attorneys'
Fees and Costs

Robert Howie, Jr., Dallas TX, for Petitioner.

Christine Becer, U.S. Department of Justice, Washington, D.C., for Respondent

DECISION (ATTORNEYS' FEES AND COSTS)

HASTINGS, *Special Master*

In this case under the National Vaccine Injury Compensation Program,¹ I issued a Decision on August 22, 2016. On August 15, 2016, Petitioner filed an application for attorneys' fees and costs in this matter. Petitioner requests a total of \$18,379.75, representing \$16,108.00 for attorneys' fees, and \$2,271.75 for attorneys' costs. The application indicates that Petitioner's counsel has conferred with Respondent's counsel, and represents that Respondent has no objection to Petitioner's request. In accordance with General Order #9, Petitioner's application includes a statement that Petitioner incurred no reimbursable costs in pursuit of his 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 proposed amount seems reasonable and appropriate.

¹ The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2012).

Accordingly, I hereby award the total \$18,379.75 as a lump sum in the form of a check payable jointly to Petitioner and Petitioner's counsel, John Howie, Jr.

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.²

IT IS SO ORDERED

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

² Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.