

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 01-556V

Filed: June 30, 2008

Not to be published.¹

SUSAN BERRY,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN
SERVICES

Respondent.

Vaccine Act Attorneys' Fees

DECISION (ATTORNEYS' FEES)

HASTINGS, Special Master.

On June 6, 2008, the petitioner's counsel, Ronald Homer, submitted an application 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 Susan Berry. The application seeks a total of \$ 74,456.57. On June 30, 2008, counsel for respondent telephonically informed my staff that respondent's counsel has no objection to such an award.

¹Because this document contains an 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.*

The proposed amount 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 \$ **74,456.57**, in the form of a check payable jointly to petitioner and petitioner's counsel, Ronald Homer, on account of petitioner's attorneys' fees and 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.

/s/George L. Hastings, Jr.

George L. Hastings, Jr.
Special Master