

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

 ALEXANDER THOMPSON, * No. 13-005V
 * Special Master Christian J. Moran
 Petitioner, *
 * Filed: October 8, 2015
 v. *
 * Attorneys' fees and costs; award
 SECRETARY OF HEALTH * in the amount to which
 AND HUMAN SERVICES, * respondent does not object.
 *
 Respondent. *

Michael Baseluos, Baseluos Law Firm, San Antonio, TX, for petitioner;
Julia McInerny, United States Dep't of Justice, Washington, DC, for respondent.

UNPUBLISHED DECISION ON FEES AND COSTS¹

On September 30, 2015, petitioner Alexander Thompson filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter. Previously, petitioner informally submitted a draft application for attorneys' fees and costs to respondent for review. Upon review of petitioner's application, respondent raised objections to certain items. Based on subsequent discussions, petitioner amended his application to request \$39,891.00, an amount to which respondent does not object. The Court awards this amount.

On January 3, 2013, Alexander Thompson filed a petition for compensation alleging that the seasonal influenza ("flu") vaccine administered to him on October 14, 2010, caused him to suffer Guillain-Barré syndrome ("GBS"). While the case was pending after a fact hearing, the petitioner filed a motion for an award of attorneys' fees and costs on an interim basis. The petitioner was awarded

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

\$2,525.00. 2014 WL 5317754 (Fed. Cl. Spec. Mstr. Sept. 23, 2014). Petitioner received compensation based upon the parties' stipulation. Decision, issued Aug. 11, 2015. Because petitioner received compensation, he is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Petitioner seeks a total of **\$39,891.00**, in attorneys' fees and costs for his counsel. Additionally, in compliance with General Order No. 9, petitioner states that he did not incur any out-of-pocket litigation expenses while pursuing this claim. Respondent has no objection to the amount requested for attorneys' fees and costs.

After reviewing the request, the Court awards the following:

- a. A lump sum of \$39,891.00, in the form of a check made payable to petitioner and petitioner's attorney, Michael Baseluos, of Baseluos Law Firm, for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).**

The Court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.

Any questions may be directed to my law clerk, Shannon Proctor, at (202) 357-6360.

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master