

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**  
**OFFICE OF SPECIAL MASTERS**

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JOHN TAYLOR,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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No. 07-458V  
Special Master Christian J. Moran

Filed: November 22, 2011

Attorneys' fees and costs; award  
in the amount to which  
respondent does not object.

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**UNPUBLISHED DECISION**<sup>1</sup>

Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., Boston, MA, for Petitioner;  
Ryan D. Pyles, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner John Taylor filed his initial application for attorneys' fees and costs on November 8, 2011. After discussions between the parties, petitioner filed his amended application for fees and costs on November 21, 2011. The Court awards the amount to which respondent has not objected.

Mr. Taylor claimed that the trivalent influenza vaccine caused him an adverse reaction and received compensation based upon the parties' stipulation. Decision, filed July 15, 2011.

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<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002).

All decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, the person submitting the information has 14 days to identify and to move to delete such information before the document's disclosure. If the special master agrees that the identified material fits within the categories listed above, the special master shall redact such material from public access. 42 U.S.C. § 300aa-12(d)(4)(B); Vaccine Rule 18(b).

Because Mr. Taylor received compensation, he is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Mr. Taylor seeks **\$106,013.22** in attorneys' fees and costs for petitioner's counsel. Additionally, Mr. Taylor filed a statement of costs in compliance with General Order No. 9, stating that he incurred **\$358.30** while pursuing this claim. Respondent stated that she had no objection to this application for attorneys' fees and costs.

After reviewing the request, the court awards the following:

1. **A lump sum of \$106,013.22 in the form of a check payable to petitioner's attorney, Ronald C. Homer, of the law firm Conway, Homer & Chin-Caplan, P.C., and petitioner, John Taylor, for attorney's fees and costs available under 42 U.S.C. § 300aa-15(e).**
2. **A lump sum of \$358.30 in the form of a check payable to petitioner, John Taylor.**

The court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.<sup>2</sup>

**IT IS SO ORDERED.**

S/ Christian J. Moran

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Christian J. Moran  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.