

OFFICE OF SPECIAL MASTERS

(Filed: November 8, 2005)

_____)	
RICHARD PISCOPO,)	
)	
Petitioner,)	
)	
v.)	No. 01-0234V
)	DO NOT PUBLISH
SECRETARY OF)	
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	
_____)	

**DECISION ON ATTORNEYS’ FEES, ATTORNEYS’ COSTS
AND PERSONAL EXPENSES¹**

On May 26, 2005, the Clerk of the United States Court of Federal Claims entered judgment dismissing the petition. The period for appeal to the United States Court of Appeals for the Federal Circuit has lapsed. Therefore, proceedings on attorneys’ fees, attorneys’ costs and personal expenses under General Order No. 9 are appropriate.

Petitioner’s two former attorneys have lodged requests for reimbursement of their fees and costs. *See* Petitioner’s Former Law Firm’s Application for Fees and Costs (Homer Fee Petition), filed September 21, 2005; Petitioner’s Former Law Firm’s Amended Petition for Fees and Costs (Glass Amended Fee Petition), filed October 7, 2005. Ronald C. Homer, Esq. (Mr. Homer), represented initially petitioner. Mr. Homer seeks \$14,653.15 in attorneys’ fees and attorneys’ costs. *See* Homer Fee Petition at 1. Respondent does not object apparently. *See* Homer Fee Petition at 1. Wm. Paul Glass, Jr., Esq. (Mr. Glass), represented subsequently petitioner. Mr. Glass seeks \$5,441.08 in attorneys’ fees and attorneys’ costs. *See* Glass Amended Fee Petition at 1. Respondent does not object apparently. *See* Glass Amended Fee Petition at 1. In addition, petitioner has lodged

¹ 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.*

a request for reimbursement of his costs. *See* Application for Fees and Costs (Petitioner Cost Petition), filed October 27, 2005. Petitioner seeks \$4,267.71 in personal expenses as defined by General Order No. 9. *See* Petitioner Cost Petition at 3. Respondent does not object. *See* Response to Application for Costs (Response), filed November 2, 2005, at 1.

The special master has reviewed thoroughly the record as a whole. The special master determines that an award of \$24,361.94 in attorneys' fees, attorneys' costs and personal expenses is reasonable. The amount is the sum of \$14,653.15 (Homer Fee Petition), \$5,441.08 (Glass Amended Fee Petition) and \$4,267.71 (Petitioner Cost Petition).

In the absence of a motion for review filed under RCFC Appendix B, the clerk of court shall enter judgment in petitioner's favor for \$24,361.94. *The judgment shall provide for three checks.*

1. The first check in the amount of \$4,267.71 shall be payable directly to petitioner. The Secretary of the Department of Health and Human Services shall send the check to petitioner at petitioner's address of record.
2. The second check in the amount of \$14,653.15 shall be payable *jointly* to petitioner and to Mr. Homer. The Secretary of the Department of Health and Human Services shall send the check to: Ronald C. Homer, Esq., Conway, Homer & Chin-Caplan, PC, 16 Shawmut Street, Boston, Massachusetts 02116. *The judgment shall provide that Mr. Homer may collect \$14,653.15 from petitioner.*
3. The third check in the amount of \$5,441.08 shall be payable *jointly* to petitioner and to Mr. Glass. The Secretary of the Department of Health and Human Services shall send the check to: Wm. Paul Glass, Jr., Esq., Glass Law Firm, 3072 Sunview Drive, Birmingham, Alabama 35243. *The judgment shall provide that Mr. Glass may collect \$5,441.08 from petitioner.*

The clerk of court shall send petitioner's copy of this decision to petitioner by overnight express delivery. In addition, the clerk of court shall send a copy of this decision to each of petitioner's former attorneys:

Ronald C. Homer, Esq.
Conway, Homer & Chin-Caplan, PC
16 Shawmut Street
Boston, Massachusetts 02116

Wm. Paul Glass, Jr., Esq.
Glass Law Firm
3072 Sunview Drive
Birmingham, Alabama 35243

John F. Edwards
Special Master