

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

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LINDA HARRIS,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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No. 10-275V  
Special Master Christian J. Moran

Filed: April 15, 2011

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

**UNPUBLISHED DECISION**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

Scott W. Rooney, Nemes Rooney and McKindles, Farmington Hills, MI, for Petitioner;  
Lara A. Englund, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Linda Harris filed her application for attorneys' fees and costs on April 14, 2011. The Court awards the amount to which respondent does not object.

Ms. Harris claimed that the flu vaccination caused an adverse reaction. A stipulation for compensation is expected in this case, based on the parties' request for a 15-week order (issued March 14, 2011). Because Ms. Harris is expected to receive compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. §300aa-15(e).

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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 Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of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).

Ms. Harris seeks **\$9,900.00** in attorneys' fees and costs for petitioner's counsel. Additionally, Ms. Harris filed a statement of costs in compliance with General Order No. 9, stating that she incurred **\$100.00** 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 \$9,900.00 in the form of a check payable to petitioner's attorney, Scott W. Rooney, of the law firm Nemes, Rooney & McKindles, P.C., and petitioner, Linda Harris, for attorney's fees and costs available under 42 U.S.C. § 300aa-15(e).**
2. **A lump sum of \$100.00 in the form of a check payable to petitioner, Linda Harris.**

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.