

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

MOSCA FLINT,

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No. 10-354V

*

Special Master Christian J. Moran

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Petitioner,

*

*

v.

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Filed: September 14, 2012

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SECRETARY OF HEALTH
AND HUMAN SERVICES,

*

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

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Respondent.

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UNPUBLISHED DECISION¹

Clifford J. Shoemaker, Shoemaker and Associates, Vienna, VA, for Petitioner;
Traci R. Patton, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Mosca Flint filed her application for attorneys' fees and costs on September 4, 2012. After discussions between the parties, respondent filed a status report on September 12, 2012, indicating that she had no objection to petitioner's motion. Thus, the Court awards the amount to which respondent has not objected.

Mr. Flint claimed that the influenza vaccine caused an adverse reaction and received compensation based upon the parties' stipulation. Decision, filed March 2, 2012. Because Mr. Flint received compensation, he is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Mr. Flint seeks **\$24,478.80** in attorneys' fees and **\$8,529.54** in costs for petitioner's counsel. Additionally, Mr. Flint filed a statement of costs in compliance with General Order No. 9, stating that he incurred **\$359.15** while pursuing this claim. Respondent stated that she had no objection to this application for attorneys' fees and costs.

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.

After reviewing the request, the court awards the following:

1. **A lump sum of \$33,008.34 in the form of a check payable to petitioner's attorney, Clifford J. Shoemaker, of the law firm Shoemaker & Associates, and petitioner, Mosca Flint, for attorney's fees and costs available under 42 U.S.C. § 300aa-15(e).**
2. **A lump sum payment of \$359.15 in the form of a check payable to petitioner, Mosca Flint.**

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

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
Special Master

² 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.