

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

[REDACTED],

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

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No. 10-265V
Special Master Christian J. Moran

Filed: October 2, 2012

Stipulation; Diphtheria-Tetanus-
acellular Pertussis vaccine;
Guillain-Barre Syndrome.

UNPUBLISHED DECISION¹

Diana L. Stadelnikas, Maglio Christopher and Toale, Sarasota, FL, for Petitioners;
Glenn A. MacLeod, U.S. Department of Justice, Washington, D.C., for Respondent.

On October 1, 2012, the parties filed a joint stipulation concerning the petition for compensation filed by [REDACTED] on April 29, 2010. In her petition, the petitioner alleged that the Diphtheria-Tetanus-acellular Pertussis (“DTaP”) vaccine, which is contained in the Vaccine Injury Table (the “Table”), 42 C.F.R. §100.3(a), and which she received on or about July 17, 2009, caused her to suffer Guillain-Barre Syndrome (“GBS”), the effects of which lasted for more than six months.

Respondent denies that the DTaP vaccine caused petitioner to suffer GBS or any other injury, and further denies that petitioner’s current disabilities are a sequelae of a vaccine-related injury.

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.

Nevertheless, the parties agree to the joint stipulation, attached hereto as Appendix A. The undersigned finds said stipulation reasonable and adopts it as the decision of the Court in awarding damages, on the terms set forth therein.

Damages awarded in that stipulation include:

- A. A lump sum payment of \$125,000.00 in the form of a check payable to petitioner, representing compensation for all damages that would be available under 42 U.S.C. §300aa-15(a).**

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment in case 10-265V according to this decision and the attached stipulation.

Any questions may be directed to my law clerk, Jennifer C. Chapman, at (202) 357-6358.
IT IS SO ORDERED.

s/Christian J. Moran

Christian J. Moran
Special Master