

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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██████████,	*	
	*	No. 10-124V
Petitioner,	*	Special Master Christian J. Moran
	*	
v.	*	Filed: February 27, 2013
	*	
SECRETARY OF HEALTH	*	Stipulation; influenza; Guillain-
AND HUMAN SERVICES,	*	Barré syndrome (GBS).
	*	
Respondent.	*	

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Franklin John Caldwell, Jr., Maglio, Christopher & Toale, Sarasota, FL, for Petitioner;  
Althea Walker Davis, U.S. Department of Justice, Washington, DC, for Respondent.

### UNPUBLISHED DECISION<sup>1</sup>

On February 26, 2013, the parties filed a joint stipulation concerning the petition for compensation filed by ██████████ on February 25, 2010. In her petition, petitioner alleged that the influenza vaccine, which is contained in the Vaccine Injury Table (the “Table”), 42 C.F.R. §100.3(a), and which she received on October 27, 2008, caused her to suffer Guillain-Barré Syndrome (“GBS”). Respondent denies that the influenza vaccine caused petitioner to suffer GBS or any other injury.

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 \$90,000.00 in the form of a check payable to petitioner, ██████████. This amount represents compensation for all damages that would be available under 42 U.S.C. § 300aa-15(a).**

<sup>1</sup> 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.

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment in case 10-124V according to this decision and the attached stipulation.<sup>2</sup>

Any questions may be directed to my law clerk, Tucker McCarthy, at (202) 357-6392.

**IT IS SO ORDERED.**

s/Christian J. Moran  
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.