

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**

No. 12-277V

(E-Filed: April 8, 2014)

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██████████,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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\* UNPUBLISHED  
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\* Stipulation; Tdap Vaccine;  
\* Guillain-Barré Syndrome  
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*Anne Carrion Toale*, Sarasota, FL, for Petitioner  
*Gordon Shemin*, Washington, DC, for Respondent

**UNPUBLISHED DECISION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

On April 8, 2014, Respondent filed a joint stipulation concerning the petition for compensation filed by ██████████ (Petitioner) on May 2, 2012. In her petition, Petitioner alleged that the Tetanus, Diphtheria and Pertussis (Tdap) vaccine, which is contained in the Vaccine Injury Table (the “Table”), 42 C.F.R. §100.3(a), and which she received on October 17, 2011, caused her to develop Guillain-Barré Syndrome (GBS). Petitioner represents that she experienced the residual effects of this injury for more than six months and there has been no prior award or settlement of a civil action for damages

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<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the undersigned’s action in this case, the undersigned intends to post this order on the United States Court of Federal Claims website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). 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 a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). Otherwise, “the entire” order will be available to the public. *Id.*

on behalf as a result of [REDACTED] alleged vaccine-related injury or death. Stipulation at ¶¶ 2, 4, 5.

Respondent denies that the Tdap vaccine caused [REDACTED] 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:

8. a. **A lump sum of \$66,633.55, which represents reimbursement of a State of Vermont Medicaid lien, in the form of a check payable jointly to Petitioner and**

**DVHA  
HP-Financial Services  
P.O. Box 1645  
Williston, VT 05495**

**Petitioner agrees to endorse this payment to the State; and**

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

Stipulation at ¶8.

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment in case 12-277V according to this decision and the attached stipulation.<sup>2</sup>

Any questions may be directed to my law clerk, Camille Collett, at (202) 357-6361.

**IT IS SO ORDERED.**

s/Lisa Hamilton-Fieldman  
Lisa Hamilton-Fieldman  
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.