

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

████████████████████

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,
Respondent.

*
* No. 14-692V
* Special Master Moran
*
* Filed: March 19, 2015
*
* Stipulation; influenza vaccine;
* Guillain-Barré Syndrome (“GBS”).
*

Isaiah Kalinowski, Maglio, Christopher & Toale, Washinton, DC, for Petitioner;
Alexis Babcock, United States Dep’t of Justice, Washington, DC, for Respondent.

UNPUBLISHED DECISION¹

On March 17, 2015, respondent filed a joint stipulation concerning the petition for compensation filed by ██████████ on August 1, 2014. In her petition, ██████████ 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 January 14, 2013, caused her to suffer from Guillain-Barré Syndrome (“GBS”). Petitioner further alleges that she experienced residual effects of this injury for more than six months. Petitioner represents that there has been no prior award or settlement of a civil action for damages as a result of her GBS.

Respondent denies that petitioner’s GBS was caused-in-fact by her influenza vaccination, and denies that the vaccine caused any other injury or her current condition.

Nevertheless, the parties agree to the joint stipulation, attached hereto as “Appendix A.” The undersigned finds said stipulation reasonable and adopts it as

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 party has 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.

the decision of the Court in awarding damages, on the terms set forth therein.

Damages awarded in that stipulation include:

A lump sum of \$130,000.00 in the form of a check payable to petitioner, [REDACTED]. This amount represents 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 14-692V according to this decision and the attached stipulation.²

Any questions may be directed to my law clerk, Mary Holmes, at (202) 357-6360.

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.