

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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██████████ and  
██████████,  
on behalf of A.N.,

Petitioners,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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\*  
\* No. 13-374V  
\*  
\* Special Master Christian J. Moran  
\*  
\* Filed: February 11, 2015  
\*  
\* Stipulation; influenza (“flu”); tetanus-  
\* diphtheria-acellular pertussis (Adacel);  
\* varicella (Varivax) and meningococcal  
\* (Menactra) vaccines; Guillain-Barré  
\* Syndrome (“GBS”).

Diana Sedar, Maglio, Christopher and Toale, Sarasota, FL, for Petitioners;  
Linda Renzi, United States Dep’t of Justice, Washington, DC, for Respondent.

### UNPUBLISHED DECISION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

On February 9, 2015, respondent filed a joint stipulation concerning the petition for compensation filed by ██████████ on behalf of their daughter, ██████████, on June 5, 2013. In their petition, ██████████ alleged that the influenza (“flu”), tetanus-diphtheria-acellular pertussis (Adacel), varicella (Varivax) and meningococcal (Menactra) vaccines, which is contained in the Vaccine Injury Table (the “Table”), 42 C.F.R. §100.3(a), and which A.N. received on September 12, 2011, caused her to suffer Guillain-Barré Syndrome (“GBS”). Petitioners further alleges that she experienced the residual effects of this injury for more than six months. Petitioners represents that there has been no prior award or settlement of a civil action for damages on behalf of ██████████ as a result of her condition.

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<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 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.

Respondent denies that any of [REDACTED] September 12, 2011 vaccines caused her GBS, or any other injury, and denies that her current disabilities are sequelae of vaccine-related 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 lump sum of \$100,000.00 in the form of a check payable to petitioners, [REDACTED], as guardians/conservators of A.N.'s estate. 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 13-374V according to this decision and the attached stipulation.<sup>2</sup>

Any questions may be directed to my law clerk, Mary Holmes, at (202) 357-6353.

**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.