

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 14-1201V

Filed: September 1, 2016

[REDACTED]

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[REDACTED], a Minor, by and Through  
his Parent and Natural Guardian,  
[REDACTED],

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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Damages decision based on  
stipulation; human-papillomavirus  
("HPV") vaccine; transverse  
myelitis ("TM")

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Maximillian J. Muller, Dresher, PA, for petitioner.  
Debra A. Filteau Begley, Washington, DC, for respondent.

**MILLMAN, Special Master**

### DECISION AWARDING DAMAGES<sup>1</sup>

On September 1, 2016, the parties filed the attached stipulation in which they agreed to settle this case and described the settlement terms. Petitioner alleges that the human-papillomavirus ("HPV") vaccine [REDACTED] minor son [REDACTED] received on March 28, 2013 caused [REDACTED] to develop transverse myelitis ("TM"). Petitioner further alleges that [REDACTED] experienced the residual effects of these injuries for more than six months. Respondent denies that [REDACTED] HPV vaccine(s) caused him to develop TM or any other injury.

<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). Vaccine Rule 18(b) states that all decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would constitute a clearly unwarranted invasion of privacy. When such a decision is filed, petitioner has 14 days to identify and move to redact such information prior to the document's disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall redact such material from public access.

Nonetheless, the parties agreed to resolve this matter informally. The undersigned finds the terms of the stipulation to be reasonable. The court adopts the parties' attached stipulation and awards compensation in the amount and on the terms set forth in the stipulation. Pursuant to the stipulation, the court awards:

- a. a lump sum payment of **\$2,903.44** representing compensation for full satisfaction of the State of [REDACTED] Medicaid lien. This payment shall be in the form of a check payable jointly to petitioner and:

[REDACTED] Health Care Authority  
[REDACTED]  
[REDACTED]

Petitioner agrees to endorse this payment to [REDACTED] Health Care Authority; and

- b. An amount sufficient to purchase the annuity contract described in paragraph 10 of the attached stipulation, paid to the life insurance company from which the annuity will be purchased. 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 of the court is directed to enter judgment herewith.<sup>2</sup>

**IT IS SO ORDERED.**

Dated: September 1, 2016

s/ Laura D. Millman  
Laura D. Millman  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party, either separately or jointly, filing a notice renouncing the right to seek review.