

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 14-987V

Filed: May 9, 2016

[REDACTED]

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[REDACTED],

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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Joint Stipulation on Damages;  
Guillain-Barre Syndrome (“GBS”);  
Chronic Inflammatory Demyelinating  
Polyneuropathy (“CIDP”); Influenza  
 (“Flu”) Vaccine; Special Processing Unit  
 (“SPU”)

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*Maximillian J. Muller, Muller Brazil, LLP, Dresher, PA, for petitioner.*  
*Althea Walker Davis, U.S. Department of Justice, Washington, DC, for respondent.*

### DECISION [REDACTED]

**Dorsey**, Chief Special Master:

On October 15, 2014, petitioner filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*,<sup>2</sup> (the “Vaccine Act”). Petitioner alleges that she suffered Guillain-Barre Syndrome (“GBS”) and Chronic Inflammatory Demyelinating Polyneuropathy (“CIDP”) as a result of [REDACTED] November 3, 2011 influenza (“flu”) vaccine. Petition at 1; Stipulation, filed May 6, 2016, at ¶¶ 2, 4. Petitioner further alleges that [REDACTED] suffered the sequela of [REDACTED] injury for more than six months, and has received no prior compensation, award, or settlement for [REDACTED] injury. Petition at ¶¶ 9, 12; Stipulation at ¶¶ 4-5. “Respondent denies that the flu vaccine caused petitioner’s GBS or CIDP or any other injury or [REDACTED] current disabilities.” Stipulation at ¶ 6.

Nevertheless, on May 6, 2016, the parties filed the attached joint stipulation, stating that a decision should be entered awarding compensation. The undersigned

<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the action in this case, the undersigned intends to post it on the United States Court of Federal Claims' website,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). In accordance with Vaccine Rule 18(b), petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, the undersigned agrees that the identified material fits within this definition, the undersigned will redact such material from public access.

<sup>2</sup> National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all “§” references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

finds the stipulation reasonable and adopts it as the decision of the Court in awarding damages, on the terms set forth therein.

The parties stipulate that petitioner shall receive the following compensation:

**A lump sum of \$175,000.00 in the form of a check payable to petitioner.**

Stipulation at ¶ 8. This amount represents compensation for all items of damages that would be available under 42 U.S.C. § 300aa-15(a). *Id.*

The undersigned approves the requested amount for petitioner's compensation. In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment in accordance with this decision.<sup>3</sup>

**IT IS SO ORDERED.**

**s/Nora Beth Dorsey**

Nora Beth Dorsey  
Chief Special Master

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<sup>3</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.