

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 15-482V

Filed: February 23, 2016

██████████

██████████,

Petitioner,

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

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

Maximillian Muller, Muller Brazil, LLP, Dresher, PA, for petitioner.
Heather Pearlman, U.S. Department of Justice, Washington, DC, for respondent.

DECISION ON ██████████ ██████████

Dorsey, Chief Special Master:

On May 11, 2015, ██████████ (“petitioner”) filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*,² [the “Vaccine Act”]. Petitioner alleges that ██████████ suffered Guillain-Barré Syndrome (“GBS”) and chronic inflammatory demyelinating polyradicular neuropathy (“CIDP”) after receiving the influenza vaccine on October 31, 2013. Petition at 1, ¶¶ 3, 7, 9; see *also* Stipulation, filed Feb. 23, 2016, ¶¶ 2, 4. Petitioner further alleges that ██████████ suffered ██████████ symptoms for more than six months and has never received compensation for ██████████ vaccine-related injuries. Petition, ¶¶ 9, 11; see *also* Stipulation, ¶¶ 4-5. “Respondent denies that petitioner suffered GBS, CIDP, or any other injury that was caused-in-fact by his October 31, 2013 influenza vaccination; denies that ██████████ current disabilities are sequelae of these injuries; and denies that ██████████ experienced the residual effects of ██████████ injuries for more than six months.” Stipulation, ¶ 6.

¹ Because this unpublished decision contains a reasoned explanation for the action in this case, the undersigned intends to post it on the United States Court of Federal Claims' website,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, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2012)). 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.

² 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).

Nevertheless, on February 23, 2016, the parties filed the attached joint stipulation, stating that a decision should be entered awarding compensation. The undersigned finds the stipulation reasonable and adopts it as the decision of the Court in awarding damages, on the terms set forth therein.

The parties stipulated that petitioner shall receive the following compensation:

A lump sum of \$148,926.64 in the form of a check payable to petitioner.

Stipulation, ¶ 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.³

IT IS SO ORDERED.

s/Nora Beth Dorsey
Nora Beth Dorsey
Chief Special Master

³ 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.