

encephalitis, an intractable seizure disorder, and personality and behavior changes as a result of receiving the varicella vaccine.

Respondent denies that encephalitis, intractable seizure disorder, personality and behavior changes or any related medical problems were caused by the receipt of the varicella vaccine. Nonetheless both parties, while maintaining their above-stated positions, agreed in a stipulation filed that the issues before them can be settled, and that a decision should be entered awarding Petitioner compensation.

I have reviewed the file, and based upon that review, I conclude that the parties' stipulation is reasonable. I therefore adopt it as my decision in awarding damages on the terms set forth therein.

The stipulation awards:

- a) A lump sum of \$5,547.32, which amount represents reimbursement of the Commonwealth of Medicaid lien, in the form of a check payable jointly to petitioners and

Petitioners agree to endorse this check to the Department of Medical Assistance Services; and

- b) A lump sum of \$500,000.00 in the form of a check payable to Petitioners. This amount represents compensation for all remaining damages that would be available under 42 U.S.C. § 300aa-15(a).

Stipulation ¶ 8.

I approve a Vaccine Program award in the requested amount set forth above to be made to Petitioners. 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.³

42 U.S.C.A. § 300aa-10-§ 300aa-34 (West 1991 & Supp. 2002). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C.A. § 300aa.

³ Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by jointly (or separately) filing notice(s) renouncing their right to seek review.

IT IS SO ORDERED.

/s/ Brian H. Corcoran
Brian H. Corcoran
Special Master