

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

and *

*

as parents and legal representatives of *

,

*

Petitioner, *

*

v. *

*

SECRETARY OF HEALTH *

AND HUMAN SERVICES, *

*

Respondent. *

*

No.
Special Master Christian J. Moran

Filed:

Stipulation; death; hepatitis B;
diphtheria-tetanus-acellular
pertussis; inactive poliovirus;
pneumococcal conjugate;
rotavirus.

UNPUBLISHED DECISION¹

Ramon Rodriguez, III, Rawls & McNelis, P.C., Richmond, VA, for Petitioner;
Vincent J. Matanoski, U.S. Department of Justice, Washington, D.C., for Respondent.

On _____, the parties filed a joint stipulation concerning the petition for compensation filed by _____ and _____ as parents of their son _____, on _____. In their petition, the petitioners alleged that the hepatitis B, diphtheria-tetanus-acellular pertussis, inactive poliovirus, pneumococcal conjugate, and rotavirus vaccines, which are contained in the Vaccine Injury Table (the "Table"), 42 C.F.R. §100.3(a), and which _____ received on _____, resulted in _____ death, or that

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002).

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 clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, the person submitting the information has 14 days to identify and to move to delete such information before the document's disclosure. If the special master agrees that the identified material fits within the categories listed above, the special master shall redact such material from public access. 42 U.S.C. § 300aa-12(d)(4)(B); Vaccine Rule 18(b).

's encephalopathy and cardiopulmonary arrest resulting in his death were caused by one or more of the vaccines.

Respondent denies that one or more of the vaccines received by on , caused him to suffer encephalopathy, cardiopulmonary arrest, and/or was a substantial factor in his death.

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. A lump sum payment of \$125,000.00 in the form of a check payable to petitioners as parents and legal representatives of the estate of . 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 according to this decision and the attached stipulation.

Any questions may be directed to my law clerk, .

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
Special Master