

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No.

Filed:

_____	)	
, as Parent	)	
and Legal Representative of	)	
her Minor Daughter,	)	NOT TO BE PUBLISHED
	)	
	)	Stipulation; Influenza
Petitioner,	)	vaccine; Acute demyelinating
	)	encephalomyelitis
v.	)	
	)	
SECRETARY OF	)	
HEALTH AND HUMAN SERVICES,	)	
	)	
Respondent.	)	
_____	)	

Ramon Rodriguez, III, Rawls & McNelis, P.C., Richmond, VA, for Petitioner;  
Linda S. Renzi, United States Dep't of Justice, Washington, D.C., for Respondent.

### **DECISION**<sup>1</sup>

**LORD**, Special Master.

On \_\_\_\_\_, the parties in the above-captioned case filed a Stipulation memorializing their agreement as to the appropriate amount of compensation in this case. \_\_\_\_\_ (“Petitioner”) alleges that her daughter, \_\_\_\_\_, suffered injuries related to her receipt of the influenza vaccine on or about \_\_\_\_\_, which vaccine is contained in the Vaccine Injury Table, 42 C.F.R § 100.3(a). Specifically, Petitioner alleges that \_\_\_\_\_ suffered from acute demyelinating encephalomyelitis (“ADEM”) and that she experienced the residual effects of this injury for more than six months as a result of the influenza immunization. Petitioner seeks compensation related to these injuries pursuant to the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10 to 34.

Respondent denies that the influenza vaccine caused \_\_\_\_\_ ADEM, or any other injury; denies that any current disabilities are sequel of her alleged injury; and

<sup>1</sup> In accordance with Vaccine Rule 18(b), Petitioner has 14 days to file a proper motion seeking redaction of medical or other information that satisfies the criteria in 42 U.S.C. § 300aa-12(d)(4)(B). Redactions ordered by the special master, if any, will appear in the document as posted on the United States Court of Federal Claims’ website.

denies that \_\_\_\_\_ experienced the residual effects of this injury for more than six months. Nonetheless, the parties have agreed informally to resolve this matter.

The Court hereby ADOPTS the parties' said Stipulation, attached hereto as Appendix A, and awards compensation in the amount and on the terms set forth therein. Specifically, Petitioner is awarded:

**A lump sum of \$375,000.00, in the form of a check payable to  
Petitioner as guardian/conservator of \_\_\_\_\_ estate, which amount  
represents compensation for all damages that would be available under  
42 U.S.C. § 300aa-15(a).**

The Court thanks the parties for their cooperative efforts in resolving this matter. In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment accordingly.<sup>2</sup>

**IT IS SO ORDERED.**

s/Dee Lord  
Dee Lord  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.