

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**

\*\*\*\*\*  
AS ADMINSTRATOR \*  
AND LEGAL REPRESENTATIVE OF \*  
THE ESTATE OF \_\_\_\_\_, \* No.  
DECEASED, \* Special Master Christian J. Moran  
Petitioner, \*  
\* Filed:  
v. \*  
\* Stipulation; influenza (“flu”) vaccine;  
SECRETARY OF HEALTH \* transverse myelitis (“TM”); death.  
AND HUMAN SERVICES, \*  
\*  
Respondent. \*  
\*\*\*\*\*

Ramon Rodriguez, III, Rawls, McNelis & Mitchell, Richmond, VA, for Petitioner;  
Justine Walters, United States Dep’t of Justice, Washington, DC, for Respondent.

**UNPUBLISHED DECISION**<sup>1</sup>

On \_\_\_\_\_, respondent filed a joint stipulation concerning the petition for compensation filed by \_\_\_\_\_, as Administrator and Legal Representative of the Estate of \_\_\_\_\_ on \_\_\_\_\_.<sup>2</sup> The petition seeks compensation for injuries and death related to \_\_\_\_\_ receipt of an influenza (“flu”) vaccine, which is contained in the Vaccine Injury Table (the “Table”), 42 C.F.R. §100.3(a), and which \_\_\_\_\_ received on \_\_\_\_\_, caused \_\_\_\_\_ to suffer from transverse myelitis (“TM”). Petitioner further alleges that \_\_\_\_\_ death was the sequela of her alleged vaccine-related injury. Petitioner represents that there has been no prior award or settlement of a civil action for damages on behalf of \_\_\_\_\_ as a result of her alleged condition or her death.

---

<sup>1</sup> The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the party has 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

<sup>2</sup> \_\_\_\_\_ passed away on \_\_\_\_\_. Upon \_\_\_\_\_ death, \_\_\_\_\_ was substituted as petitioner, as administrator and legal representative of estate.

Respondent denies that the influenza immunization caused TM, any other injury, or her 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 lump sum of \$115,000.00 in the form of a check payable to petitioner, as Administrator and Legal Representative 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.<sup>3</sup>

Any questions may be directed to my law clerk,

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master

---

<sup>3</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.