

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

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|---------------------|---|---------------------------------------|
| | * | No. |
| , | * | Special Master Christian J. Moran |
| Petitioner, | * | |
| | * | Filed: |
| v. | * | |
| | * | Stipulation; Tetanus-Diphtheria- |
| SECRETARY OF HEALTH | * | acellular Pertussis (“Tdap”) vaccine; |
| AND HUMAN SERVICES, | * | Chronic Inflammatory Demyelinating |
| | * | Polyradiculoneuropathy (“CIDP”); |
| Respondent. | * | |

Edward Kraus, Law Offices Chicago-Kent College of Law, Chicago, IL, for
Petitioner;
Claudia Gangi, United States Dep’t of Justice, Washington, DC, for Respondent.

UNPUBLISHED DECISION¹

On _____, respondent filed a joint stipulation concerning the petition for compensation filed by _____ on _____. In his petition, _____ alleged that the tetanus-diphtheria-acellular pertussis (“Tdap”) vaccine, which is contained in the Vaccine Injury Table (the “Table”), 42 C.F.R. §100.3(a), and which he received on _____, caused him to suffer chronic inflammatory demyelinating polyradiculoneuropathy (“CIDP”). Petitioner represents that there has been no prior award or settlement of a civil action for damages on his behalf as a result of his condition.

Respondent denies that the Tdap vaccine caused petitioner’s alleged CIDP, any other injury, or his current disabilities.

¹ 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.

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 and attorneys’ fees and costs, on the terms set forth therein.

Compensation awarded in that stipulation includes:

A. A lump sum payment of \$340,000.00 in the form of a check payable to petitioner. This amount represents compensation for all damages that would be available under 42 U.S.C. §300aa-15(a); and

C. A lump sum of \$1,104.91 in the form of a check payable to petitioner for out-of-pocket expenses that were incurred by petitioner in proceeding on the petition, in accordance with General Order #9.

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment in case 13-817V according to this decision and the attached stipulation.²

Any questions may be directed to my law clerk, Christina Gervasi, at (202) 357-6521.

IT IS SO ORDERED.

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

² 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.