

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

_____)	
)	UNPUBLISHED
Petitioner)	
)	Stipulation for Damages
v.)	and for Attorneys' Fees
)	and Costs; Chronic Urticaria;
SECRETARY OF THE DEPARTMENT)	Hepatitis-B Vaccinations
OF HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	
_____)	

David L. Terzian, Richmond, VA, for petitioner.

Althea Walker Davis, Washington, DC, for respondent.

DECISION¹

On _____ petitioner, _____ filed a petition seeking compensation under the National Vaccine Injury Compensation Program (“the Vaccine Program or the Act”).² In the petition, petitioner alleged that she suffered chronic

¹ Vaccine Rule 18(b) states that all of the decisions of the special masters will be made available to the public unless an issued decision contains trade secrets or commercial or financial information that is privileged or confidential, or the decision contains medical or similar information the disclosure of which clearly would constitute an unwarranted invasion of privacy. When a special master files a decision or substantive order with the Clerk of the Court, each party has 14 days within which to identify and move for the redaction of privileged or confidential information before the document’s public disclosure.

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as

urticaria as a direct result of the Hepatitis B vaccinations she received on _____ and _____ Petitioner alleged that her chronic urticaria was caused in fact by the Hepatitis B vaccine. Respondent denied that petitioner suffered chronic urticaria as a result of her Hepatitis B vaccinations. On _____ the undersigned heard the testimony of petitioner and her parents at a fact hearing in this case.

On _____ counsel for both parties filed a stipulation, stating that a decision should be entered awarding compensation and that the parties had also reached an agreement regarding attorneys' fees and costs. The parties stipulated that petitioner shall receive the following compensation:

A lump sum of \$130,000.00 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) to which petitioner would be entitled.

Stipulation ¶ 8(a).

Stipulation ¶8(b).

The undersigned approves the requested amount for petitioner's compensation. Accordingly, an award should be made in the form of a check payable to petitioner in the amount of \$130,000. In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.

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

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.³

IT IS SO ORDERED.

s/Patricia E. Campbell-Smith
Patricia E. Campbell-Smith
Special Master

³ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.