

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

LESTER GRAHAM, *

Petitioner, *

v. *

SECRETARY OF HEALTH *

AND HUMAN SERVICES, *

Respondent. *

No. 07-553V
Special Master Christian J. Moran

Filed: January 31, 2008

Stipulation; influenza vaccine;
Guillain-Barre syndrome.

Andrew D. Downing, Esq., Rhodes, Hieronymus, Jones, Tucker & Gable, PLLC, Tulsa,
Oklahoma, for Petitioner;
Julia W. McInerny, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

DECISION¹

MORAN: Special Master.

On January 24, 2008, the parties filed a joint stipulation concerning the injuries received by Lester Graham. On July 20, 2007, Mr. Graham filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. § 300aa-10, et. seq. His petition sought compensation for allegedly developing Guillain-Barre syndrome as a result of receiving the influenza vaccine on September 28, 2006.

Respondent denies that Mr. Graham’s injuries were caused by the influenza vaccine. 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 \$160,000.00 in the form of a check payable to Petitioner. This

¹ Petitioner is reminded that, pursuant to 42 U.S.C. § 300aa-12(d)(4) and Rule 18(b)(2) of the Vaccine Rules of this Court, within fourteen days of this decision, she may object to the public disclosure of any material including "medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy."

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 07-553V in accordance with this decision and the attached stipulation.

Any questions may be directed to Shana Z. Siesser, at (202) 357-6358.

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
Special Master