

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

(E-Filed: January 9, 2008)

UNPUBLISHED

| | | |
|--------------------------------|---|------------------------------|
| DAVID CLARK, |) | |
| |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | No. 99-616V |
| |) | Stipulation for Compensation |
| SECRETARY OF THE DEPARTMENT OF |) | |
| HEALTH AND HUMAN SERVICES, |) | |
| |) | |
| Respondent. |) | |
| |) | |
| |) | |

DECISION¹

Petitioner, David Clark, filed this action alleging that he has suffered certain injuries as a result of receiving a vaccination. He seeks an award under the National Vaccine Injury Compensation Program, National Vaccine Injury Compensation Program² (the Act or the Program). 42 U.S.C. §§ 300aa-1 to -34 (2000 & Supp. II 2003).

¹ Vaccine Rule 18(b) states that all of the decisions of the special masters will be made available to the public unless the decisions contain trade secrets or commercial or financial information that is privileged or confidential, or the decisions contain medical or similar information the disclosure of which clearly would constitute an unwarranted invasion of privacy. Within 14 days of the filing of a decision or substantive order with the Clerk of the Court, a party may 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 amended, 42 U.S.C. §§ 300aa-1 to -34 (2000 & Supp. II 2003) (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.

On January 9, 2008, counsel for both parties filed a stipulation, stating that a decision should be entered granting compensation. In particular, the parties stipulated that petitioner shall receive the following compensation:

A lump sum of \$ 30,000.00 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).

Stipulation ¶ 8.

Under the statute governing the Program, and pursuant to the “Vaccine Rules” adopted by this court, the undersigned now enters a decision approving that filed stipulation. The Clerk of the Court shall enter judgment to authorize payment of the award. See § 300aa-12(d)(3)(A) and (e)(3); § 300aa-13(a); Vaccine Rules 10(a), 11(a).³

I have reviewed the filings in this case, and, based on my review, I conclude that the parties’ stipulation appears to be an appropriate one. Accordingly, a Program award shall be made to petitioner in the amount of \$ 30,000.00.

In the absence of a timely-filed motion for review of this decision, the clerk shall enter judgment in accordance with the terms of the parties’ stipulation.⁴

IT IS SO ORDERED.

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

³ The “Vaccine Rules of the United States Court of Federal Claims” are found in Appendix B of the Rules of the United States Court of Federal Claims.

⁴ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties’ joint filing of notice renouncing the right to seek review.