

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 07-752V

Filed: April 10, 2008

Not for publication

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CHING TAM,

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Petitioner,

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v.

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SECRETARY OF THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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Damages decision based on stipulation; Guillain-Barré syndrome following hepatitis A, hepatitis B, IPV, Meningococcal, MMR, and/or Td vaccinations; Attorney's fees and costs

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Ronald Z. Gomez, Los Angeles, CA, for petitioner.

Richard F. Topping, Jr., Washington, DC, for respondent

### DECISION<sup>1</sup>

#### **I. DAMAGES**

On April 7, 2008, the parties filed a stipulation on damages, in which they agreed to settle this case and described the settlement terms. Petitioner alleged that he suffered from Guillain-Barré Syndrome (“GBS”) following one or all of the following vaccinations: hepatitis A, hepatitis B, IPV, Meningococcal, MMR, and Td. Respondent denies that petitioner’s alleged injury was vaccine-related, and denies that he suffers any current disabilities that are sequelae of his alleged injury. Nonetheless, the parties agreed to resolve this matter informally.

The court hereby adopts the parties’ stipulation, and awards compensation in the amount and on the terms set forth therein. Pursuant to the stipulation, the court awards a lump sum of **\$25,000.00** in the form of a check made payable to petitioner. This amount represents

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<sup>1</sup> The undersigned intends to post this decision on the United States Court of Federal Claims’ website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction “of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). Otherwise, “the entire” decision will be available to the public. Id.

compensation for all elements of compensation under 42 U.S.C. § 300aa-15(a) to which petitioner would be entitled.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.<sup>2</sup>

**II. ATTORNEYS' FEES AND COSTS**

On April 9, 2008, petitioner filed an application for attorneys' fees and costs. Petitioner requests **\$22,786.14** in fees and costs. Respondent does not object to this request. In compliance with General Order #9, petitioner states that he has incurred **no** costs.

The clerk shall enter judgment for **\$22,786.14** and shall direct that the award be in the form of one check made jointly payable to petitioner and Mr. Ronald Z. Gomez in the amount of **\$22,786.14**.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Laura D. Millman  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party's filing a notice renouncing the right to seek review.