

OFFICE OF SPECIAL MASTERS

No. 06-769V

Filed: March 7, 2008

Not for publication

CHARLES L. ABENDROTH, *

Petitioner, *

v. *

SECRETARY OF THE DEPARTMENT *

OF HEALTH AND HUMAN SERVICES, *

Respondent. *

Lisa A. Roquemore, Irvine, CA, for petitioner.

Melonie J. McCall, Washington, DC, for respondent.

Damages decision based on stipulation; GBS following flu vaccine

MILLMAN, Special Master

DECISION AWARDING DAMAGES¹

On March 4, 2008, the parties filed the attached stipulation, in which they agreed to settle this case and described the settlement terms. Petitioner alleged that she suffered from Guillain-Barre Syndrome (“GBS”) following an influenza vaccine. 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 informally resolve this matter.

The court hereby adopts the parties’ said stipulation, attached hereto, and awards compensation in the amount and on the terms set forth therein. Pursuant to the stipulation, the court awards a lump sum of **\$180,000.00** in the form of a check made payable to petitioner.

¹ 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.

This amount represents 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.²

IT IS SO ORDERED.

Dated: _____

Laura D. Millman
Special Master

² 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.