

ATTACHMENT 5: SAMPLE "ELECTION TO FILE CIVIL ACTION"

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS

_____,

Petitioner[s],

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

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No. ____ - ____ V
Special Master [name of master]

ELECTION TO FILE CIVIL ACTION

Petitioner[s], through [his/her/their] counsel of record, hereby elect[s], pursuant to 42 U.S.C. § 300aa-21(a), to maintain [his/her/their] option of filing a civil action in lieu of accepting the Judgment entered on [date] in the above-captioned case.

[Name of Counsel]
Counsel of Record for Petitioner[s]

[Address]

Date: _____

[PLEASE NOTE: A certificate of service on opposing counsel is required to be stapled to the end of all filings; an original plus one copy of the Election is required for filing.]