

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

(Filed: January 7, 2008)

No. 03-2648V

UNPUBLISHED

_____)	
KIMBERLY SCHNEIDER, as the Legal)	
Representative of her minor son, TROY)	
SCHNEIDER,)	
)	
Petitioner,)	
)	
v.)	Stipulation; Damages
)	
SECRETARY OF THE DEPARTMENT)	
OF HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	
_____)	

Curtis Webb, Twin Falls, ID, for petitioner.

Catherine Reeves, Assistant Director, with whom was Mark Rogers, Department of Justice, Civil Division, Torts Branch, Washington, DC, for respondent.

Campbell-Smith, Special Master.

DAMAGES DECISION

On November 10, 2003, Kimberly Schneider, as the legal representative of her minor son, filed a petition for vaccine compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. § 300aa-10 to 34 (the "Vaccine Program"). The petition seeks compensation for injuries allegedly sustained by her minor son, Troy Schneider (Troy), receipt of the measles-sumps-rubella ("MMR") vaccination he received on November 3, 2000.

On January 2, 2008, counsel for both parties filed a stipulation, stating that a decision should be entered awarding compensation. The parties stipulated that petitioner shall receive the following compensation:

A lump sum of \$859,000.00 in the form of a check payable to petitioner, as guardian/conservator of Troy's estate. This amount represents compensation for future unreimbursable vaccine injury-related expenses (in the amount of \$702,225), and pain and suffering (in the amount of \$157,475.00 and not in excess of any applicable statutory maximums). This amount represents compensation for all damages that would be available under 42 U.S.C. § 300aa-15(a).

The undersigned approves the parties's stipulation. Accordingly, an award of compensation should be made in the form of a check payable jointly to petitioner and Mr. Curtis Webb in the amount of \$859,000.00. The clerk of court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.¹

IT IS SO ORDERED.

Patricia Campbell-Smith
Special Master

¹Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review of this decision. Then, under the Vaccine Rule 12(a), the parties may expedite payment by filing an election to accept judgment.