

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

Filed with redaction: June 28, 2010

(Originally filed: June 25, 2010)

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JANE DOE/73,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent,

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No. XX-XXXV  
(Not for publication)

### DECISION

#### **HASTINGS, Special Master.**

This is an action seeking an award under the National Vaccine Injury Compensation Program (see 42 U.S.C. § 300aa-10 et seq.<sup>1</sup>) on account of an injury suffered by Jane Doe/73.

On June 23, 2010, counsel for both parties filed a Stipulation, stipulating that a decision should be entered granting compensation. The parties have stipulated that petitioner shall receive the following compensation:

- A lump sum of \$30,000.00, in the form of a check payable to petitioner, representing compensation for all damages that would be available under 42 U.S.C. §300aa-15(a).
- A lump sum of \$14,534.58, in the form of a check payable to petitioner and petitioner's attorney, Edward Kraus, for attorney's fees and costs.

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<sup>1</sup>The applicable statutory provisions defining the Program are found at 42 U.S.C. § 300aa-10 et seq. (2000 ed.). Hereinafter, for ease of citation, all "\$" references will be to 42 U.S.C. (2000 ed.).

- A lump sum of \$250.00, in the form of a check payable to petitioner, for out-of-pocket expenses incurred by petitioner.

Under the statute governing the Program, as well as the “Vaccine Rules” adopted by this court, the special master must now enter a decision endorsing that stipulation, and the clerk must enter judgment, in order to authorize payment of the award. See § 300aa-12(d)(3)(A) and (e)(3); § 300aa-13(a); Vaccine Rules 10(a), 11(a). I have reviewed the file, and based on that review, I conclude that the parties’ stipulation appears to be an appropriate one. Accordingly, my decision is that a Program award shall be made to petitioner in the amounts set forth above. In the absence of a timely-filed motion for review of this Decision, the clerk shall enter judgment in accordance herewith.

/s/ George L. Hastings, Jr

George L. Hastings, Jr.  
Special Master