

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 10-22V

Filed: January 13, 2011

TOM KING and THERESA KING,)	
as parents and natural guardians of)	
JENNIFER KING,)	
)	NOT TO BE PUBLISHED
Petitioners,)	
)	
v.)	Stipulation; human papillomavirus
)	vaccine (HPV); seizures; fainting;
SECRETARY OF)	cardiovascular disorder.
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	

Diana L. Stadelnikas, Maglio, Christopher & Toale, Sarasota, Florida, for Petitioners;
Debra A. Filteau Begley, United States Dep't of Justice, Washington, D.C., for Respondent.

DECISION¹

LORD, Chief Special Master.

On January 11, 2011, the parties in the above-captioned case filed a Stipulation memorializing their agreement as to the appropriate amount of compensation in this case. Petitioners, Tom and Theresa King, alleged that their daughter, Jennifer, suffered seizures, fainting and a cardiovascular disorder as a consequence of her receipt of the human papillomavirus vaccines(HPV) on August 4, 2008, October 8, 2008, and May 20, 2009, which vaccine is contained in the Vaccine Injury Table, 42 C.F.R § 100.3(a). The Kings seek damages, on behalf of their daughter, related to this injury pursuant to the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10 to 34.

Respondent denies that Jennifer suffered the onset of seizures, fainting and a cardiovascular disorder as a result of the HPV vaccinations and denies that her current disabilities are sequelae of her alleged injuries. Nonetheless, the parties have agreed informally to resolve this matter.

The court hereby ADOPTS the parties' said Stipulation, attached hereto as Appendix A, and awards compensation in the amount and on the terms set forth therein. Specifically, Petitioners are awarded:

¹ As provided by Vaccine Rule 18(b), each party has 14 days within which to request the redaction "of any information furnished by that party (1) that is trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Rules of the United States Court of Federal Claims (RCFC), Appendix B, Vaccine Rule 18(b). In the absence of a timely objection, the entire document will be made publicly available.

- (a) **A lump sum of \$20,000.00, in the form of a check payable to petitioners as “trustees under Title 13 of the Estates and Trusts Article, Annotated Code for Maryland, for Jennifer King, minor.”** This amount represents compensation for all damages that would be available under 42 U.S.C. §300aa-15(a), and
- (b) **A lump sum of \$13,349.41 in the form of a check payable to petitioners and petitioners’ attorney, Diana Stadelnikas of Maglio, Christopher, Toale & Pitts law firm,** for attorneys’ fees and costs available under 42 U.S.C. § 300aa-15(e), and, in compliance with General Order #9, no out-of-pocket expenses were incurred by petitioners in proceeding on the petition.

The court thanks the parties for their cooperative efforts in resolving this matter. In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment accordingly.²

IT IS SO ORDERED.

s/Dee Lord
Dee Lord
Chief Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.