

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 19-248V
UNPUBLISHED

██████████,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: October 19, 2021

Special Processing Unit (SPU); Joint
Stipulation on Damages; Influenza
(Flu); Shoulder Injury Related to
Vaccine Administration (SIRVA).

*Leah VaSahnja Durant, Law Offices of Leah V. Durant, PLLC, Washington, DC, for
Petitioner.*

Ryan Daniel Pyles, U.S. Department of Justice, Washington, DC, for Respondent.

DECISION ON JOINT STIPULATION¹

On February 13, 2019, ██████████ filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”). Petitioner alleges that he suffered a shoulder injury related to vaccine administration (“SIRVA”) causally related to her receipt of the influenza (“flu”) vaccine on September 13, 2016. Petition at 1.

On October 19, 2021, the parties filed the attached joint stipulation, which states that a decision should be entered awarding compensation. I find the stipulation reasonable and adopt it as my decision awarding damages, on the terms set forth therein.

¹ Because this unpublished opinion contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims' website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the opinion will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

Pursuant to the terms stated in the attached Stipulation, I **award** the following compensation:

- **A lump sum payment of \$1,175.99**, representing compensation for satisfaction of a State of Wisconsin Medicaid lien, payable jointly to Petitioner and:

The Rawlings Company
ATTN: Karen Powell
P.O. Box 2000
La Grange, KY 40031

Petitioner agrees to endorse this payment to The Rawlings Company;

- **A lump sum payment of \$193.70**, representing compensation for satisfaction of a State of Wisconsin Medicaid lien, payable jointly to Petitioner and:

State of Wisconsin
Department of Health Services
5615 High Point Drive
Irving, TX 75038

Petitioner agrees to endorse this payment to the State; and

- **A lump sum of \$105,000.00 in the form of a check payable to Petitioner.**

These amounts represent compensation for all items of damages that would be available under Section 15(a). Stipulation at ¶ 8.

I approve the requested amount for Petitioner's compensation. In the absence of a motion for review filed pursuant to RCFC Appendix B, the Clerk of the Court is directed to enter judgment in accordance with this decision.³

IT IS SO ORDERED.

s/Brian H. Corcoran
Brian H. Corcoran
Chief Special Master

³ Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.