

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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[REDACTED]

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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No. 22-674V

Special Master Christian J. Moran

Filed: January 2, 2024

Leah V. Durant, Law Offices of Leah V. Durant, PLLC, Washington DC, for Petitioner;  
Mallori Openchowski, United States Dep't of Justice, Washington, DC, for Respondent.

### **UNPUBLISHED DECISION<sup>1</sup>**

On December 21, 2023, the parties filed a joint stipulation concerning the petition for compensation filed by [REDACTED] on June 16, 2022. Petitioner alleges that the influenza (“flu”) vaccine caused him to suffer from chronic inflammatory demyelinating polyneuropathy (“CIDP”). Petitioner further alleges that his symptoms persisted for more than six months. Petitioner represents that there has been no prior award or settlement of a civil action for damages on his behalf as a result of his alleged injury.

Respondent denies that the flu vaccine caused petitioner to suffer from CIDP.

Nevertheless, the parties agree to the joint stipulation, attached hereto. The undersigned finds said stipulation reasonable and adopts it as the decision of the Court in awarding damages, on the terms set forth therein.

Damages awarded in that stipulation include:

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<sup>1</sup> Because this decision contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims' website, and/or at <https://www.govinfo.gov/app/collection/uscourts/national/cofc>, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (Federal Management and Promotion of Electronic Government Services). This means the decision will be available to anyone with access to the internet. In accordance with Vaccine Rule 18(b), the parties have 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. Any changes will appear in the document posted on the website.

A lump sum of **\$200,000.00** in the form of a check payable to petitioner. This amount represents compensation for all damages that would be available under 42 U.S.C. § 300aa-15(a).

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment according to this decision and the attached stipulation.<sup>2</sup>

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master

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<sup>2</sup> 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.