

**In the United States Court of Federal Claims**

**OFFICE OF SPECIAL MASTERS**

No. 06-0862V

(E-Filed: May 15, 2009)

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ZACHARY DAVID TENNESSEN,	)	
	)	
	)	PUBLISHED
Petitioners,	)	
	)	Stipulation;
v.	)	Influenza Vaccine;
	)	Guillain-Barre Syndrome
SECRETARY OF THE DEPARTMENT	)	
OF HEALTH AND HUMAN SERVICES,	)	
	)	
Respondent.	)	

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Peter Meyers, Washington, DC, for petitioner.

Melonie McCall, Washington, DC, for respondent.

**DECISION**<sup>1</sup>

On December 15, 2006, Else and David Tennesen filed a petition on behalf of their minor son, Zachary David Tennesen, for compensation alleging that he suffered certain injuries as a result of receiving a vaccination. On April 14, 2009, the undersigned granted a motion to amend the caption of this case to reflect the fact that Zachary David Tennesen reached the age of majority and is now the sole petitioner in this case. Among the injuries petitioner alleges is Chronic Inflammatory Demyelinating Polyradiculoneuropathy, the onset of which occurred approximately two weeks after his

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<sup>1</sup> Vaccine Rule 18(b) states that all of the decisions of the special masters will be made available to the public unless the decisions contain trade secrets or commercial or financial information that is privileged or confidential, or the decisions contain medical or similar information the disclosure of which clearly would constitute an unwarranted invasion of privacy. Within 14 days of the filing of a decision or substantive order with the Clerk of the Court, a party may identify and move for the redaction of privileged or confidential information before the document's public disclosure.

receipt of the influenza vaccination.<sup>2</sup> See Stipulation ¶ 4. He seeks an award under the National Vaccine Injury Compensation Program, National Vaccine Injury Compensation Program<sup>3</sup> (the Act or the Program). 42 U.S.C. §§ 300aa-10 et seq. (2006).

On May 15, 2009, 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 \$ 250,000.00 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) to which petitioner would be entitled.

Stipulation ¶ 8.

The undersigned approves the requested amount for petitioner's compensation. Accordingly, an award should be made in the form of a check payable to petitioner in the amount of \$250,000.00. In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.<sup>4</sup>

**IT IS SO ORDERED.**

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s/Patricia E. Campbell-Smith  
Patricia E. Campbell-Smith  
Special Master

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<sup>2</sup> Petitioner states further that he continues to suffer paresthesia in his arms and legs, difficulty with balance, intermittent episodes of fatigue and weakness, and multiple striae over his abdomen, arms, and feet as sequela of his injury. Stipulation ¶ 4.

<sup>3</sup> The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-10 et seq. (2006) ("Vaccine Act" or the "Act"). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C.A. § 300aa.

<sup>4</sup> Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.