

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

**OFFICE OF SPECIAL MASTERS**

Filed: November 18, 2010

No. 06-440V

REBECCA SKELTON, by and through	)	
her guardian and mother,	)	
VICKIE LINDSTROM	)	NOT TO BE PUBLISHED
	)	
Petitioner,	)	Stipulation;
	)	DTaP; Hib; Inactivated
v.	)	Polio; Prevnar; Autoimmune
	)	Neuromuscular Disorder
SECRETARY OF THE DEPARTMENT	)	
OF HEALTH AND HUMAN SERVICES,	)	
	)	
Respondent.	)	
	)	

Ryan Terrill, Kansas City, MO, for petitioner.

Chrysovalanti P. Kefalas, Washington, DC, for respondent.

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

On June 1, 2006, Rebecca Skelton (“petitioner”), on behalf of her daughter, Vickie Lindstrom, filed a petition for compensation alleging that Vickie suffered certain injuries as a result of receiving her vaccinations. She sought an award under the National Vaccine Injury Compensation Program, National Vaccine Injury Compensation Program<sup>2</sup>

<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.

<sup>2</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-1 to -34 (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.

(the Act or the Program). 42 U.S.C. §§ 300aa-1 to -34 (2006). The petition seeks compensation for injuries allegedly related to Rebecca's receipt of the Diphtheria-Tetanus-acellular Pertussis ("DTaP"), Hemophilus Influenzae ("Hib"), Inactivated Polio ("IP"), and/or Prevnar vaccines, which vaccines are contained in the Vaccine Injury Table (the "Table") on June 3, 2003. The petitioner alleges that Rebecca sustained a vaccine-related injury diagnosed as autoimmune neuromuscular disorder as a result of the DTaP, Hib, IP, and/or Prevnar vaccines.

On November 16, 2010, counsel for both parties filed a stipulation, stating that a decision should be entered awarding compensation. See Stipulation (Stipulation), filed November 16, 2010. Based on the record as a whole, the undersigned finds that petitioners are entitled to an award as stated in the Stipulation. Pursuant to the terms stated in the attached Stipulation, the court awards petitioners:

1. A lump sum payment of \$278,218.54, representing compensation for life care expenses expected to be incurred during the first year after judgment (\$37,364.12), partial lost future earnings (\$93,726.06) and actual and projected pain and suffering (\$147,128.36), in the form of a check payable to petitioner, as the court appointed guardian/conservator of the Rebecca's estate. No payments shall be made until petitioner provides respondent with documentation establishing that she has been appointed as the guardian/conservator of Rebecca Skelton's estate;
2. A lump sum payment of \$130,986.12, representing reimbursement of the State of Arkansas Medicaid lien, in the form of a check payable jointly to petitioner and

Division of Medical Services  
Third Party Liability Unity  
700 Main Street  
Little Rock, AR  
Attn: Deadra Tremble

3. An amount sufficient to purchase the annuity contract described in paragraph 10, paid to the life insurance company from which the annuity will be purchased (the "Life Insurance Company").

See Stipulation at 3.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.<sup>3</sup>

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Patricia E. Campbell-Smith  
Special Master

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<sup>3</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.