

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. [REDACTED] V

Originally Filed: November 22, 2010

Filed Redacted: December 1, 2010

Not for Publication

M. F.,

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Petitioner,

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Damages decision based on proffer

v.

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SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES,

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Respondent.

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Mindy M. Roth, Glen Rock, NJ, for petitioner.

Darryl R. Wishard, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING DAMAGES¹

On November 17, 2010, respondent filed a Proffer on Award of Compensation. On November 19, 2010, petitioner's counsel informed the undersigned's law clerk that the Proffer had been accepted. Based on the record as a whole, the special master finds that petitioner is entitled to the award as stated in the Proffer. Pursuant to the terms stated in the attached Proffer, the court awards petitioner:

¹ Because this decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). Vaccine Rule 18(b) states that all decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would constitute a clearly unwarranted invasion of privacy. When such a decision is filed, petitioner has 14 days to identify and move to delete such information prior to the document's disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall delete such material from public access.

a lump sum payment of **\$76,918.00**, representing compensation for projected unreimbursable vaccine-injury related expenses (\$1,045.00), past out-of-pocket expenses (\$873.00), and past and future pain and suffering (\$75,000.00). The award should be in the form of a check payable to petitioner,

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.²

IT IS SO ORDERED.

Dated: November 22, 2010

s/ Laura D. Millman
Laura D. Millman
Special Master

² Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party's filing a notice renouncing the right to seek review.