

OFFICE OF SPECIAL MASTERS

JANE DOE 3, as legal representative *
of CHILD DOE 3, a minor, *
 * Special Master Christian J. Moran
Petitioner, *
 *
v. * Filed: June 1, 2007
 *
SECRETARY OF THE DEPARTMENT * Stipulation; MMR;
OF HEALTH AND HUMAN SERVICES, * thrombocytopenic purpura.
 *
Respondent. *

UNPUBLISHED DECISION¹

Sherry K. Drew, Esq., McDowell & Drew, Ltd., Glenview, IL, for Petitioner;
Robin L. Broderick, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

On May 25, 2007, the parties filed a joint stipulation concerning the injuries received by Child Doe. Jane Doe 3, on behalf of her daughter, Child Doe 3, filed a petition for compensation on April 24, 2006. In her petition, Ms. Doe alleged that the measles-mumps-rubella (MMR) vaccination, which Child Doe 3 received on July 20, 2005, caused her to suffer thrombocytopenic purpura, which lasted for more than six months.

Child Doe’s vaccination and injury fall within the parameters of the Vaccine Injury Table, 42 C.F.R. § 100.3(a)(V). She received her MMR vaccination within the United States. She sustained the first symptom or manifestation of the onset of thrombocytopenic purpura within

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of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 clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, petitioner has 14 days to identify and to move to delete such information before 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.

7-30 days as set forth within the Table. Her injury lasted more than six months. There is no preponderance of evidence demonstrating that Child Doe's condition is due to a factor unrelated to her MMR vaccination.

Accordingly, the parties agree to the joint stipulation, attached hereto as Appendix A. 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:

A lump sum of \$941.00 in the form of a check payable to Petitioner, for past unreimbursable expenses;

A lump sum of \$7,596.71 in the form of a check payable jointly to Petitioner and

Illinois Department of Healthcare and Family Services
Bureau of Collections
Technical Recovery Section
2200 Churchill Road, Building A-1
Springfield, Illinois 62702-3406
Attn: Kevin Thornton

for satisfaction of the states Medicaid lien; and

A lump sum of \$10,000.00 in the form of a check payable to Petitioner, as guardian/conservator of Child Doe's estate. 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.

Any questions may be directed to Shana Z. Siesser at (202) 357-6358.

IT IS SO ORDERED.

Christian J. Moran
Special Master