

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

CHRISTOPHER SABELLA, *
Petitioner, *

No. 02-1627V
Special Master Christian J. Moran

v. *

Filed: May 21, 2007

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

Stipulation; hepatitis B;
encephalopathy; learning disabilities.

Respondent. *

UNPUBLISHED DECISION¹

Clifford Shoemaker, Esq., Shoemaker & Associates, Vienna, VA, for Petitioner;
Michael Milmo, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

On May 16, 2007, the parties filed a joint stipulation concerning the injuries received by petitioner, Christopher Sabella. Mr. Sabella filed a petition for compensation on November 18, 2002. In his petition, Mr. Sabella alleged that the series of hepatitis B vaccinations, which he received on November 18, 1999; December 24, 1999; and February 7, 2000, caused him to suffer an encephalopathy. As a sequela of the encephalopathy, Mr. Sabella alleged that he developed learning disabilities. Mr. Sabella sought compensation for those injuries.

Respondent denies that Mr. Sabella's injuries were caused by the hepatitis B vaccinations. Nevertheless, the parties agree to the joint stipulation, attached hereto as Appendix

1 Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of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.

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 \$103,000.00 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 in case 02-1627V 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.

S/ Christian J. Moran

Christian J. Moran
Special Master