

# In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 09-0269V

E-Filed: May 12, 2011

\* \* \* \* \*

IVAN WOODLEY,

\*

UNPUBLISHED

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Petitioner,

\*

Influenza Vaccination; Tetanus

\*

Vaccination; Guillain-Barré Syndrome;

v.

\*

Stipulated Decision

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SECRETARY OF HEALTH  
AND HUMAN SERVICES,

\*

\*

\*

Respondent.

\*

\* \* \* \* \*

F. John Caldwell, Sarasota, FL, for petitioner.

Chrysovalantis Kefalas, Washington, D.C., for respondent.

## DECISION<sup>1</sup>

**Campbell-Smith**, Chief Special Master

On April 29, 2009, Ivan Woodley (“petitioner”), filed a petition for compensation alleging that he suffered certain injuries as a result of receiving a vaccination. Among the injuries petitioner alleged that he had suffered as a result of receiving a trivalent influenza

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<sup>1</sup> Because this decision contains a reasoned explanation for the undersigned’s action in this case, the undersigned intends to post this decision on the United States Court of Federal Claims’ website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction “of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). Otherwise, “the entire” decision will be available to the public. Id.

vaccination and a tetanus vaccination was Guillain-Barré syndrome. He sought an award under the National Vaccine Injury Compensation Program, National Vaccine Injury Compensation Program (the Act or the Program).<sup>2</sup> 42 U.S.C. §§ 300aa-1 to -34 (2006).

On January 27, 2011, counsel for both parties filed a stipulation, stating that a decision should be entered awarding compensation and that the parties had also reached an agreement regarding attorneys' fees and costs. The parties stipulated that petitioner shall receive the following compensation:

A lump sum of \$ 20,499.74 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(a).

A lump sum of \$4,500.26, representing reimbursement of liens imposed by the State of New York, in the form of a check payable jointly to petitioner and

New York Human Resources Administration  
Department of Social Services  
Investigation, Revenue and Enforcement Administration  
250 Church Street  
New York, NY 10013  
Attn: Amy Wheeler

Stipulation ¶8(b).

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 \$20,499.74.** A lump sum shall also be made payable jointly to the **New York Human Resources Administration and petitioner in the amount of \$4,500.26.**

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<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-10 through § 300aa-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. § 300aa.

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>3</sup>

**IT IS SO ORDERED.**

s/Patricia E. Campbell-Smith  
Patricia E. Campbell-Smith  
Chief 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.