

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

BILL AND APRIL PARCELLS, *
on behalf of their Deceased Daughter, *
MACKENZIE PARCELLS, *

No. 03-1192 V
Special Master Christian J. Moran

Petitioners, *

v. *

SECRETARY OF THE DEPARTMENT *
OF HEALTH AND HUMAN SERVICES, *

Filed: January 4, 2008

Respondent. *

Mari C. Bush, Esq., Kaye and Bush, LLC, Denver, Colorado, for Petitioner;
Lynn E. Ricciardella, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

DECISION¹

MORAN: Special Master.

On December 21, 2007, the parties filed a joint stipulation concerning the death of MacKenzie Parcels. On May 14, 2003, Bill and April Parcels filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. § 300aa-10, et. seq., on behalf of their daughter, Mackenzie Parcels. Their petition sought compensation for MacKenzie’s death, which they alleged was as a result of receiving the DTaP, Hib, polio, and hepatitis B vaccines on May 15, 2000.

Respondent denies that MacKenzie’s death was caused by the vaccines. Nevertheless, 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.

¹ Petitioner is reminded that, pursuant to 42 U.S.C. § 300aa-12(d)(4) and Rule 18(b)(2) of the Vaccine Rules of this Court, within fourteen days of this decision, she may object to the public disclosure of any material including "medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy."

Damages awarded in that stipulation include:

A lump sum of \$20,000.00 in the form of a check payable to Petitioners. 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 03-1192V in accordance with 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