

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

SARAH HEIL,

*

No. 99-427V

Petitioner,

*

Special Master Christian J. Moran

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v.

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SECRETARY OF HEALTH
AND HUMAN SERVICES,

*

Filed: June 26, 2007

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Respondent.

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David Terzian., Esq., Rawls & McNelis, P.C., Richmond, Virginia, for Petitioner;
Traci R. Patton, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

DECISION¹

On June 20, 2007, the parties filed a joint stipulation concerning the injuries received by petitioner, Sarah Ann Heil. Ms. Heil filed a petition for compensation on July 2, 1999. In her petition, Ms. Heil alleged that the hepatitis B vaccine, which she received on December 7, 1998 and January 7, 1999, caused her to suffer an adverse reaction, which most likely is acute zonal occult outer retinopathy (AZOOR).

Respondent denies that Ms. Heil’s AZOOR was caused by the hepatitis B vaccine. Nevertheless, the parties agree to the joint stipulation, attached hereto as Appendix A. The

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of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

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 \$160,000.00 in the form of a check payable to Petitioner. This amount represents partial settlement for all damages that would be available under 42 U.S.C. § 300aa-15(a); and

An amount of \$340,000 to purchase the annuity contract described within paragraph 10 of the attached stipulation, paid to the life insurance company from which the annuity will be purchased. This amount represents compensation for all remaining elements of compensation.

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment in case 99-427V 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