

OFFICE OF SPECIAL MASTERS

No. 05-1270V

Filed: September 19, 2006

Not to be published¹

NATASHA MALONE, as the legal
representative of her minor daughter, Jazmon
Malone,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN
SERVICES,

Respondent.

Stipulation

DECISION

This is an action seeking an award under the National Vaccine Injury Compensation Program (see 42 U.S.C. § 300aa-10 et seq.²) on account of an injury suffered by Jazmon Malone.

On September 15, 2006, counsel for both parties filed a stipulation, stipulating that a decision should be entered granting compensation. The parties stipulated that petitioner shall receive the following compensation:

A lump sum of \$25,000 in the form of a check payable to the petitioner, Natasha Malone, as legal representative for Jazmon Malone.³

¹Because this document contains an explanation for my action in this case, I intend to post this order 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). Therefore, 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 trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, this entire document will be available to the public. *Id.*

²The applicable statutory provisions defining the Program are found at 42 U.S.C. § 300aa-10 et seq. (2000 ed.). Hereinafter, for ease of citation, all "\$" references will be to 42 U.S.C. (2000 ed.).

³I will entertain an application for attorneys' fees from petitioner's counsel at a later date.

Under the statute governing the Program, as well as the “Vaccine Rules” adopted by this court, the special master must now enter a decision endorsing that stipulation, and the clerk must enter judgment, in order to authorize payment of the award. See § 300aa-12(d)(3)(A) and (e)(3); § 300aa-13(a); Vaccine Rules 10(a), 11(a).⁴

I have reviewed the file, and, based on that review, I conclude that the parties’ stipulation appears to be an appropriate one. Accordingly, my decision is that a Program award shall be made to petitioner in the amount of \$25,000. In the absence of a timely-filed motion for review of this decision, the clerk shall enter judgment in accordance herewith.

George L. Hastings, Jr.
Special Master

⁴The “Vaccine Rules of the United States Court of Federal Claims” are found in Appendix B of the Rules of the United States Court of Federal Claims.