

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 21-2088V

UNPUBLISHED

SANDRA WOOD,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: June 7, 2023

Special Processing Unit (SPU);  
Damages Decision Based on Proffer;  
Influenza (Flu) Tetanus, Diphtheria,  
acellular Pertussis (Tdap) Vaccines;  
Guillain-Barre Syndrome (GBS)

*Alison H. Haskins, Maglio Christopher & Toale, PA, Sarasota, FL, for Petitioner.*

*Ryan Daniel Pyles, U.S. Department of Justice, Washington, DC, for Respondent.*

### **DECISION AWARDING DAMAGES<sup>1</sup>**

On October 27, 2021 Sandra Wood (“Petitioner”) filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*<sup>2</sup> (the “Vaccine Act”). Petitioner alleges that she suffered Guillain-Barré Syndrome (“GBS”), specifically the Miller-Fisher variant, a defined Table injury, causally related to an adverse reaction to the influenza and tetanus, diphtheria, acellular pertussis vaccines she received on October 28, 2020. Petition at 1, ¶¶ 1, 38. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On June 7, 2023, I issued a ruling on entitlement, finding Petitioner entitled to compensation for her GBS. In this case, Respondent filed a combined Rule 4(c) Report and Proffer on award of compensation (“Rule 4(c) Report and Proffer”) indicating Petitioner should be awarded \$177,076.94, representing \$170,000.00 for actual and

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<sup>1</sup> Because this Decision contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims' website, and/or at <https://www.govinfo.gov/app/collection/uscourts/national/cofc>, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (Federal Management and Promotion of Electronic Government Services). **This means the Decision will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

<sup>2</sup> National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2018).

projected pain and suffering, \$4,940.14 for past unreimbursed expenses, and \$2,136.80 for future unreimbursable expenses.<sup>3</sup> Rule 4(c) Report and Proffer at 3. Respondent represented that Petitioner agrees with the proffered award. *Id.* Based on the record as a whole, I find that Petitioner is entitled to an award as stated in the Rule 4(c) Report and Proffer.

Pursuant to the terms stated in combined Rule 4(c) Report and Proffer,<sup>4</sup> **I award Petitioner a lump sum payment of \$177,076.94, representing \$170,000.00 for actual and projected pain and suffering, \$4,940.14 for actual unreimbursable expenses, and \$2,136.80 for projected unreimbursable expenses in the form of a check payable to Petitioner.** This amount represents compensation for all damages that would be available under Section 15(a).

The Clerk of Court is directed to enter judgment in accordance with this decision.<sup>5</sup>

**IT IS SO ORDERED.**

**s/Brian H. Corcoran**  
Brian H. Corcoran  
Chief Special Master

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<sup>3</sup> The combined Rule 4(c) Report and Proffer did not specify the damages categories for any subtotals comprising this amount.

<sup>4</sup> Because the Rule 4(c) Report and Proffer contains detailed medical information, it will not be filed as an attachment to this Decision.

<sup>5</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.