

On January 9, 2015, I issued a ruling on entitlement, finding petitioner entitled to compensation. On April 15, 2015, respondent filed a proffer on award of compensation ["Proffer"] detailing compensation in the amount of \$76,623.04, including \$1,623.04 for past unreimbursable expenses and \$75,000.00 for pain and suffering. Proffer at 1. Respondent averred that petitioner agreed to the amount set forth therein. *Id.* This amount represents compensation for all damages that would be available under 42 U.S.C. § 300aa-15(a).

Pursuant to the terms stated in the attached Proffer, **I award petitioner a lump sum payment of \$76,623.04 in the form of a check payable to petitioner, Tracy Czuprynski. This amount accounts for all elements of compensation under 42 U.S.C. § 300aa-15(a) to which petitioner would be entitled.**

The clerk of the court is directed to enter judgment in accordance with this decision.²

s/Denise K. Vowell
Denise K. Vowell
Chief Special Master

² Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party filing a notice renouncing the right to seek review.

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS

TRACY CZUPRYNSKI, *

Petitioner, *

v. *

SECRETARY OF HEALTH AND *

HUMAN SERVICES, *

Respondent. *

No. 14-990V
CHIEF SPECIAL MASTER
DENISE VOWELL

RESPONDENT’S PROFFER ON AWARD OF COMPENSATION

I. Items of Compensation

For purposes of this proffer, the term “vaccine-related” is as described in Respondent’s Rule 4(c) Report, filed on January 8, 2015, conceding entitlement in this case. Based upon the evidence of record, respondent proffers that petitioner should be awarded \$76,623.04, consisting of \$1,623.04 in past unreimbursable expenses and \$75,000.00 in pain and suffering. This represents all elements of competition to which petitioner would be entitled under 42 U.S.C. § 300aa-15(a) for her vaccine-related injury.¹ Petitioner agrees.

II. Form of the Award

The parties recommend that the compensation provided to petitioner should be made through a lump sum payment described below, and request that the Chief Special Master’s decision and the Court’s judgment award the following:

¹ Should petitioner die prior to entry of judgment, the parties reserve the right to move the Court for appropriate relief. In particular, respondent would oppose any award for future medical expenses, future lost earnings, and future pain and suffering.

A lump sum of \$76,623.04 in the form of a check payable to petitioner, Tracy Czuprynski. This amounts accounts for all elements of compensation under 42 U.S.C. § 300aa-15(a) to which petitioner would be entitled.

Petitioner is a competent adult. Evidence of guardianship is not required in this case.

Respectfully submitted,

BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General

RUPA BHATTACHARYYA
Director
Torts Branch, Civil Division

VINCENT J. MATANOSKI
Deputy Director
Torts Branch, Civil Division

MICHAEL P. MILMOE
Senior Trial Counsel
Torts Branch, Civil Division

/s/ DEBRA A. FILTEAU BEGLEY
DEBRA A. FILTEAU BEGLEY
Trial Attorney
Torts Branch, Civil Division
U.S. Department of Justice
P.O. Box 146
Benjamin Franklin Station
Washington, D.C. 20044-0146
Phone: (202) 616-4181
Fax: (202) 353-2988

Dated: April 15, 2015