

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 14-858V

Filed: December 19, 2014

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KAREN C. BONNER, \*

Petitioner, \*

v. \*

SECRETARY OF HEALTH AND HUMAN SERVICES, \*

Respondent. \*

\*\*\*\*\*

*Temple W. Cabell, Esq., Cabell Law Firm, P.C., Richmond, VA, for petitioner.  
Glenn MacLeod, Esq., U.S. Dept. of Justice, Washington, DC for respondent.*

Ruling on Entitlement; Concession;  
Special Processing Unit; Flu Vaccine;  
Shoulder Injury Related to Vaccine  
Administration; SIRVA;

### **RULING ON ENTITLEMENT**<sup>1</sup>

**Vowell**, Chief Special Master:

On September 17, 2014, Karen C. Bonner 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” or “Program”]. Petitioner alleges that she suffered a shoulder injury after receiving the Fluzone [“flu”] vaccine on October 13, 2011. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On December 19, 2014, respondent filed a status report indicating she “agrees that a preponderance of the medical evidence indicates that petitioner suffered a right shoulder injury related to vaccine administration (“SIRVA”), which was causally related to the flu vaccination she received on October 13, 2011.” Status Report at 1.

<sup>1</sup> Because this unpublished ruling contains a reasoned explanation for the action in this case, I intend to post it on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). 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 “§” references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2006).

**In view of respondent's concession and the evidence before me, I find that petitioner is entitled to compensation.**

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