In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS
No. 14-993V
Filed: January 12, 2015

CHRISTINA LOKAY,	*	
	*	
Petitioner,	*	Ruling on Entitlement; Concession;
	*	Influenza Vaccine or Flu Vaccine;
	*	Special Processing Unit; Shoulder Injury
SECRETARY OF HEALTH	*	Related to Vaccine Administration;
AND HUMAN SERVICES,	*	SIRVA
	*	
Respondent.	*	
	*	

Danielle Strait, Esq., Maglio, Christopher and Toale, PC Washington, DC, for petitioner.
Lara Englund, Esq., U.S. Dept. of Justice, Washington, DC for respondent.

RULING ON ENTITLEMENT[1]

Vowell, Chief Special Master:

On October 15, 2014, Christina Lokay filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq*,[2] [the "Vaccine Act" or "Program"]. Petitioner alleges that she suffered a shoulder injury which was caused by the influenza vaccine she received on November 19, 2013. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On January 12, 2015, respondent filed her Rule 4(c) report ["Res. Report"] in which she concedes that petitioner is entitled to compensation in this case. Res. Report at 3. Specifically, respondent believes petitioner's injury is "consistent with a shoulder injury related to vaccine administration (SIRVA)" and agrees it was caused by the flu vaccine she received on November 19, 2013. *Id.* Respondent further agrees that

[1] Because this unpublished ruling contains a reasoned explanation for the action in this case, I intend to post it on the United States Court of Federal Claims' website, in accordance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.

[2] 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).

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petitioner's injury lasted for more than six months and "[n]o other causes for petitioner's SIRVA were identified." *Id.*

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