

Masters, the United States Court of Federal Claims and the United States Court of Appeals for the Federal Circuit, coupled with consultation with a medical expert have demonstrated to [P]etitioner that [s]he will be unable to prove that [s]he is entitled to compensation in the Vaccine Injury Compensation Program (“VICP”).

Id. at 1. Petitioner continued, “to proceed any further would be unreasonable and would waste the resources of the Court, the [R]espondent, the [P]etitioner and the VICP.” *Id.* Respondent had no objection to Petitioner’s motion. *Id.* at 2.

To receive compensation under the Program, Petitioner must prove either (1) that she suffered a “Table Injury”—i.e., an injury falling within the Vaccine Injury Table—corresponding to the vaccination, or (2) that she suffered an injury that was actually caused by a vaccine. *See* §§ 13(a)(1)(A), 11(c)(1). An examination of the record did not uncover any evidence that Petitioner suffered a “Table Injury.” Further, the record does not contain persuasive evidence that Petitioner’s alleged injury was caused by the flu vaccine.

Under the Act, petitioners may not be given a Program award based solely on their claims alone. Rather, the petition must be supported by medical records or the opinion of a competent physician. § 13(a)(1). In this case, the medical records are insufficient to prove Petitioner’s claim, and Petitioner has not filed a supportive opinion from an expert witness. Therefore, this case must be **dismissed for insufficient proof. The Clerk shall enter judgment accordingly.**³

IT IS SO ORDERED.

s/Herbrina D. Sanders
Herbrina D. Sanders
Special Master

³ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties’ joint filing of a notice renouncing the right to seek review.