

consented to resolution of entitlement in one “test case,” the results of which could then be applied to the related cases. On April 25, 2024, I ruled in favor of the *Silvers* petitioner, finding that the administration of the influenza vaccine had caused him to experience a right shoulder skin abscess associated with a bacterial infection. *See Silvers v. Sec’y of Health & Hum. Servs.*, No. 20-1V, 2024 WL 2799285 (Fed. Cl. Spec. Mstr. Apr. 25, 2024).

On October 29, 2024, Respondent filed a Rule 4(c) Report in this action. *See* Respondent’s Report (ECF No. 31) (“Report”). Having reviewed the evidence in this case and the *Silvers* decision, Respondent elected not to defend the case, and requested a ruling on the record. Report at 1-2.

In view of Respondent’s position, and based on my own review of the record (*see* Section 13(a)(1); 42 C.F.R. § 100.3 (a)(I)), I find that Petitioner is entitled to compensation. The same reasoning set forth in *Silvers* for why compensation was appropriate therein also applies to this claim.

On or before **January 10, 2025**, parties shall file a proffer or a joint status report detailing their status in resolving damages in this matter.

Any questions may be directed to my law clerk, Alexis Franks, at alexisfranks@cfc.uscourts.gov.

IT IS SO ORDERED.

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