

her minor daughter. Petitioner alleges that L.U. received a measles-mumps-rubella-varicella (“MMRV”) vaccination on March 25, 2019, and thereafter suffered from an infected sinus tract fistula/abscess on her left thigh. *See* Petition at 1.

On February 22, 2021, respondent filed a report pursuant to Vaccine Rule 4(c) stating that petitioner’s claim was appropriate for compensation. Resp. Rpt. at 1. Specifically, respondent agrees with petitioner’s claim that L.U. suffered an infected sinus tract fistula/abscess on her left thigh following her MMRV vaccination. *Id.* at 5. Respondent states that L.U.’s injury was more likely than not caused by administration of the MMRV vaccine in L.U.’s left thigh. *Id.* Based on a review of the medical records, respondent states that petitioner has met the applicable statutory requirements as L.U.’s injury lasted for more than six months; therefore, petitioner has satisfied all legal prerequisites for compensation under the Act. *Id.*

A special master may determine whether a petitioner is entitled to compensation based upon the record. A hearing is not required. §300aa-13; Vaccine Rule 8(d). In light of respondent’s concession and a review of the record, the undersigned finds that petitioner is entitled to compensation. This matter shall now proceed to the damages phase.

IT IS SO ORDERED.

s/Mindy Michaels Roth

Mindy Michaels Roth

Special Master