

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 20-0351V

UNPUBLISHED

MARTINA LARSON, as trustee for the
heirs of RENATO C. BARROZO,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: November 10, 2021

Special Processing Unit (SPU);
Ruling on Entitlement; Concession;
Table Injury; Influenza (Flu) Vaccine;
Guillain-Barre Syndrome (GBS)

Timothy James Lessman, Knutson & Casey Law Firm, Mankato, MN, for Petitioner.

Debra A. Filteau Begley, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On March 27, 2020, Renato Barrozo filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”). ECF No. 1. After Mr. Barrozo sadly passed away, Martina Larson, as trustee for the heirs of Mr. Barrozo, was substituted as Petitioner. ECF No. 35. Petitioner alleges that Mr. Barrozo suffered Guillain-Barré Syndrome (GBS) which was caused-in-fact by the influenza vaccine he received on October 5, 2018. Petition at 1, ¶ 16. Petitioner further alleges that the flu vaccine was administered in the United States, that Mr. Barrozo suffered the residual effects of his GBS for more than six months, and that neither Mr. Barrozo, Petitioner, nor any other party has filed a civil action or received

¹ Because this unpublished Ruling contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims' website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the Ruling will be available to anyone with access to the internet.** 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 section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

compensation for Mr. Barrozo's GBS. *Id.* at 1, ¶¶ 18-19. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On November 9, 2021, Respondent filed his Rule 4(c) report in which he concedes that Petitioner is entitled to compensation in this case. Respondent's Rule 4(c) Report at 1. Specifically, Respondent believes "[P]etitioner has established that Mr. Barrozo's symptoms meet the criteria set forth in the newly revised Vaccine Injury Table ("Table") and the Qualifications and Aids to Interpretation for a flu/GBS Table injury." *Id.* at 6. Respondent further agrees that Petitioner has satisfied all legal prerequisites for compensation under the Act. *Id.* at 6-7.

In view of Respondent's position and the evidence of record, I find that Petitioner is entitled to compensation.

IT IS SO ORDERED.

s/Brian H. Corcoran

Brian H. Corcoran
Chief Special Master