

# In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 22-0670V

EMMA RUNYON,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: August 14, 2024

*Leah VaSahnja Durant, Law Offices of Leah V. Durant, PLLC, Washington, DC, for  
Petitioner.*

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

## **RULING ON ENTITLEMENT**<sup>1</sup>

On June 15, 2022, Emma Runyon filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*<sup>2</sup> (the “Vaccine Act”).<sup>3</sup> Petitioner alleges that she suffered a shoulder injury related to vaccine administration (“SIRVA”), a defined Table injury or caused-in-fact injury, after receiving an influenza (“flu”) vaccine on October 11, 2021. Amended Petition at 1 ¶¶ 1, 13. Petitioner also alleged that she received the flu vaccine within the United States, that she suffered the residual effects of her SIRVA for more than six months, and that neither she

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<sup>1</sup> Because this Ruling contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims' website, and/or at <https://www.govinfo.gov/app/collection/uscourts/national/cofc>, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (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.

<sup>2</sup> 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 (2018).

<sup>3</sup> Petitioner filed an amended petition on December 12, 2023. ECF No. 17.

nor any other party has filed a civil action or received compensation for her injury, alleged as vaccine-related. *Id.* at ¶¶ 1, 12, 14. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On August 9, 2024, 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 that "Petitioner's claim meets the Table criteria for SIRVA." *Id.* at 4.

**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