

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 22-0697V

EUNICE BUFFKIN,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: December 6, 2024

Leigh Finfer, Muller Brazil, LLP, Dresher, PA, for Petitioner.

Jay Travis Williamson, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On June 21, 2022, Eunice Buffkin filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”). Petitioner alleges that she suffered from Guillain-Barré syndrome (“GBS”) as a result of an influenza (“flu”) vaccine administered on September 18, 2020. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On December 5, 2024, Respondent filed a Rule 4(c) report in which he **concedes** that Petitioner is entitled to compensation in this case. Respondent’s Amended Rule 4(c) Report (ECF No. 46) at 1. Specifically, Respondent agrees that Petitioner has satisfied

¹ 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.

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 (2018).

the criteria set forth in the Vaccine Injury Table (“Table”) and the Qualifications and Aids to Interpretation (“QAI”) for GBS following receipt of a seasonal flu vaccine. *Id.* at 8 (citing 42 C.F.R. §§ 100.3(a)(XIV)(D), (c)(15). Respondent also agrees that Petitioner has satisfied all legal prerequisites for compensation under the Act. *Id.* (internal citations omitted).

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