

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 22-1526V

THELLYS ANN WALDEN, Personal
Representative of ESTATE OF BILLY
EDWIN WALDEN,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: September 25, 2023

Frank Stout, Stout Law Office, Ada, OK, for Petitioner.

Colleen Clemons Hartley, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On October 17, 2022, Thellys Ann Walden, Personal Representative of the Estate of Billy Edwin Walden deceased (“Petitioner”) 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 Billy Edwin Walden (“Mr. Walden”) suffered Guillain Barré syndrome (“GBS”), and ultimately, his death, as a result of an influenza (“flu”) vaccine administered on October 21, 2020. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

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).

On September 22, 2023, 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 has concluded that "[P]etitioner on behalf of Mr. Walden has satisfied the criteria set forth in the Vaccine Injury Table . . . and the Qualifications and Aids to Interpretation." *Id.* at 3. Respondent further agrees that "Mr. Walden's records show that the sequela of his injury resulted in his death on November 2, 2020." *Id.*

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