

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 23-1069V

JOHN HAUCK,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: November 18, 2024

Ronald Craig Homer, Conway, Homer, P.C., Boston, MA, for Petitioner.

Bridget Corridon, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On July 12, 2023, John Hauck filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”). On June 18, 2024, he filed an amended petition. Petitioner alleges that he suffered from Guillain-Barré syndrome (“GBS”) resulting from an influenza (“flu”) vaccine received on October 26, 2022. Amended Petition at 1. Petitioner further alleges that he received the flu vaccine in the United States, he suffered the residual effects of his injury for more than six months, and no lawsuits have been filed or settlements or awards accepted by anyone, including Petitioner, due to his vaccine-related injury. Amended Petition at ¶¶ 39-41. 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 November 15, 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 agrees that "Petitioner satisfies the criteria set forth in the Vaccine Injury Table ("Table") and the Qualifications and Aids to Interpretation for a Table injury that his flu vaccination caused him GBS." *Id.* at 8. Respondent further agrees that Petitioner has satisfied the Vaccine Act requirements in that no alternative cause more likely explains his condition and his condition persisted for more than six months. *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