

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: February 29, 2024

* * * * *

YARON PARTOVI,

*

No. 23-1094V

Petitioner,

*

v.

*

Special Master Gowen

*

SECRETARY OF HEALTH
AND HUMAN SERVICES,

*

*

*

Respondent.

*

* * * * *

Yaron Partovi, pro se, Granada Hills, CA.

Jamica M. Littles, U.S. Department of Justice, Washington, D.C., for respondent.

RULING ON ENTITLEMENT¹

On July 17, 2023, Yaron Partovi (“petitioner”), *pro se*, 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 he suffered a shoulder injury related to vaccine administration as a result of receiving an influenza (“flu”) and human papillomavirus (“HPV”) vaccinations on October 12, 2022. Petition (ECF No. 1).

On February 29, 2024, respondent filed a combined Rule 4(c) Report and Proffer in which he concedes that petitioner is entitled to compensation in this case. Respondent’s Rule 4(c) Report and Proffer at 1. Specifically, respondent states that the petitioner’s alleged injury is consistent with SIRVA as defined by the Vaccine Injury Table (the “Table”). *Id.* at 3 (citing 42 C.F.R. §§ 100.3(a), (c)(10)). Respondent further agrees that petitioner has satisfied all legal prerequisites for compensation under the Act. *Id.* (citing Section 13(a)(1)(B); Section 11(c)(1)(D)(i)).

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 (2012).

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

IT IS SO ORDERED.

s/Thomas L. Gowen
Thomas L. Gowen
Special Master