

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 23-1311V

KEVIN W. CRAIG,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: December 19, 2025

Joseph G. Muzic, Jr., Saidis, Shultz & Fisher, Mechanicsburg, PA, for Petitioner.

Lauren Kells, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On August 15, 2023, Kevin W. Craig 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 as a result of an influenza (“flu”) vaccine received on October 21, 2021, he suffered a shoulder injury related to vaccine administration (“SIRVA”) as defined on the Vaccine Injury Table (the “Table”). Petition, ECF No. 1; see *also* Amended Petition filed Apr. 29, 2024, ECF No. 19 (adding citations to the medical history). The case was assigned to the Special Processing Unit of the Office of Special Masters.

On September 5, 2025, the undersigned entered Findings of Fact and Conclusions of Law that the evidence preponderated in favor of Petitioner’s allegation of shoulder pain

¹ Because this unpublished ruling contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims' website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (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).

beginning within 48 hours after the vaccination, consistent with a Table SIRVA (ECF No. 43).

On December 18, 2025, 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. 49) at 1. Specifically, in light of the undersigned's finding that Petitioner has satisfied the Table SIRVA onset requirement, Respondent has concluded that Petitioner suffered a SIRVA related to his October 21, 2021 flu vaccination. *Id.* at 7. Respondent further agrees that Petitioner has satisfied all legal prerequisites for compensation under the Vaccine Act. *Id.* (citing Section 13(a)(1)(B); Section 11(c)(1)(D)(i)).

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