

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: January 22, 2026

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LYNDA SPEER,	*	UNPUBLISHED
	*	
Petitioner,	*	No. 23-1511V
	*	
v.	*	Special Master Dorsey
	*	
SECRETARY OF HEALTH	*	Ruling on Entitlement; Influenza (“Flu”)
AND HUMAN SERVICES,	*	Vaccine; Guillain-Barré Syndrome (“GBS”).
	*	
Respondent.	*	
	*	
* * * * *	*	

Leah VaSahnja Durant, Law Offices of Leah V. Durant, PLLC, Washington, DC, for Petitioner.
Tyler King, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On August 31, 2023, Lynda Speer (“Petitioner”) filed a petition for compensation under the National Vaccine Injury Compensation Program (“the Program”)² alleging that she developed Guillain-Barré syndrome (“GBS”) after receipt of an influenza (“flu”) vaccination on September 3, 2020. Petition at Preamble (ECF No. 1).

On January 21, 2026, Respondent filed an amended report pursuant to Vaccine Rule 4(c) in which he advised that he will not continue to defend this case during further proceedings on

¹ Because this Ruling contains a reasoned explanation for the action in this case, the undersigned is required to post it 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, the undersigned agrees that the identified material fits within this definition, the undersigned will redact such material from public access.

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-10 to -34 (2018). All citations in this Ruling to individual sections of the Vaccine Act are to 42 U.S.C. § 300aa.

entitlement and requested a ruling on the record regarding Petitioner's entitlement to compensation. Respondent's Amended Report ("Resp. Am. Rept.") at 1 (ECF No. 43). Respondent maintains that Petitioner has not met her burden of proof under the Vaccine Act, for the reasons set forth in his initial Rule 4(c) Report. Id. at 6 (citing Resp. Rept. at 5-7 (ECF No. 29)). However, "in light of [P]etitioner's expert report and the evidence filed therewith, [R]espondent no longer wishes to defend against [P]etitioner's entitlement claim before the Office of Special Masters and requests a ruling on the record regarding [P]etitioner's entitlement to compensation." Id.

A special master may determine whether a petitioner is entitled to compensation based upon the record as a hearing is not required. § 13; Vaccine Rule 8(d). In light of Respondent's Amended Rule 4(c) Report and a review of the record, including the expert report of Dr. Simpson, the undersigned finds that Petitioner is entitled to compensation. This matter shall now proceed to the damages phase.

IT IS SO ORDERED.

s/Nora Beth Dorsey

Nora Beth Dorsey
Special Master