In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 24-224V

MARLENE CIVIS, Petitioner, v. SECRETARY OF HEALTH AND HUMAN SERVICES, Respondent.	Chief Special Master Corcoran Filed: December 17, 2025

Maximillian J. Muller, Muller Brazil, LLP, Dresher, PA, for Petitioner.

Austin Joel Egan, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT[1]

On February 14, 2024, Marlene Civis ("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 she suffered from a shoulder injury related to vaccine administration ("SIRVA") as a result of receiving an influenza ("flu") vaccination on January 26, 2022. Pet., ECF No. 1. Petitioner further alleges that she suffered the residual effects of her injury for more than six months. *Id.* The case was assigned to the Special Processing Unit of the Office of Special Masters.

On September 16, 2025, I issued a fact ruling finding that Petitioner suffered the residual effects of her injury for at least six months post vaccination, as alleged. ECF No. 19.

[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).

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On December 3, 2025, Respondent filed his Amended Rule 4(c) report in which he states that in light of my Fact Ruling, he will not continue to defend this matter on other grounds and requests a ruling on the record regarding Petitioner's entitlement to compensation. Respondent's Rule 4(c) Report at 1-2, ECF No. 23. Specifically, Respondent indicated that Petitioner has "otherwise satisfied the legal prerequisites for compensation under the Vaccine Act." *Id.* at 2.

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