

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 24-1101V

MARY O. LILLY,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: January 10, 2025

*Paul D. Bekman, Bekman, Marder, Hopper, Malarkey & Perlin, LLC, Baltimore, MD, for Petitioner.*

*Jeremy Mauritzen, U.S. Department of Justice, Washington, DC, for Respondent.*

### **RULING ON ENTITLEMENT**<sup>1</sup>

On July 19, 2024, Mary O. Lilly filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*<sup>1</sup> (the “Vaccine Act”). Petitioner alleges that she suffered a syncopal episode upon receiving a human papillomavirus (“HPV”) vaccine on June 24, 2022, which resulted in injuries including “a facial injury resulting in swelling and headache, and avulsion of the right, central incisor tooth.” Petition at 2. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On January 8, 2025, Respondent filed his Rule 4(c) report in which he **concedes** that Petitioner is entitled to compensation in this case. Rule 4(c) Report at 1. Specifically, Respondent agrees that Petitioner satisfies the criteria set forth in the Vaccine Injury Table (the “Table”), and the accompanying Qualifications and Aids to Interpretation (“QAI”), which afford Petitioner a presumption of causation if the onset of vasovagal syncope occurs within one hour after an HPV vaccination, and there is no apparent

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<sup>1</sup> 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.

alternative cause. *Id.* at 2 (citing 42 C.F.R. §§ 100.3(a)(XVI)(C), (c)(13)). Respondent also agrees that Petitioner experienced more than six months of residual effects of this injury. *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