# In the United States Court of Federal Claims

**OFFICE OF SPECIAL MASTERS**

**No. 24-1458V**

| | |
|---|---|
| SUSAN KANE, as administrator of the ESTATE OF ROBERT KANE,<br><br>Petitioner,<br>v.<br><br>SECRETARY OF HEALTH AND HUMAN SERVICES,<br><br>Respondent. | Chief Special Master Corcoran<br><br>Filed: December 9, 2025 |

*Christopher Williams, Siri & Glimstad, LLP, New York, NY, for Petitioner.*

*Catherine Elizabeth Stolar, U.S. Department of Justice, Washington, DC, for Respondent.*

## RULING ON ENTITLEMENT[1]

On September 18, 2024, Susan Kane, as the administrator of the estate of Robert Kane ("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 her late husband, Robert Kane ("Mr. Kane"), developed Guillain-Barré Syndrome ("GBS") and subsequently died, as a result of his receipt of an influenza ("flu") vaccine on October 4, 2022. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

[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).

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

On December 8, 2025, Respondent filed his Rule 4(c) report in which he concedes that Petitioner is entitled to compensation in this case. Respondent's Rule 4(c) Report at 1. Specifically, Respondent states that "petitioner has satisfied the criteria set forth in the Vaccine Injury Table … and the Qualifications and Aids to Interpretation ("QAI") … The records also show that this case is timely filed, that Mr. Kane received his vaccination in the United States, that his death was from GBS, thus satisfying the statutory severity requirement, and there is also no evidence of a factor unrelated that is a more likely cause of his injuries and death." *Id.* at 7. Respondent concedes that entitlement to compensation is appropriate under the terms of the Vaccine Act. *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