

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 25-0192V

LEANN DIERCKS,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master

Corcoran Filed: April 17, 2026

Daniel Alholm, Alholm Law PC, Chicago, IL, for Petitioner.

Felicia Langel, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On February 3, 2025, LeAnn Diercks 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 a shoulder injury related to vaccine administration (“SIRVA”) following the influenza (“flu”) vaccine administered on December 28, 2023. Petition at 1. Petitioner further alleges that she suffered the residual effects of her injury for more than six months. Petition at 2. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On April 14, 2026, Respondent filed his Amended Rule 4(c) report in which he states that he does not contest that Petitioner is entitled to compensation in this case. Amended Respondent’s Rule 4(c) Report at 1. Specifically, Respondent states that

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).

“[r]ecognizing the Chief Special Master’s factual finding that QAI 3 (the only QAI in dispute in this case) is satisfied, respondent advises that he will not continue to defend this case on other grounds during further proceedings on entitlement before the Office of Special Masters. Respondent requests a ruling on the record regarding petitioner’s entitlement to compensation.” *Id.* at 2. Respondent further agrees that “petitioner had no recent history of pain, inflammation, or dysfunction of her shoulder; the onset of pain occurred within 48 hours after receipt of an intramuscular vaccine; the pain was limited to the shoulder in which the vaccine was administered; and no other condition or abnormality has been identified to explain her pain ... In addition, petitioner suffered the residual effects of her condition for more than six months.” *Id.* at 4.

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