

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 25-0516V

CRAIG SMIT,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: November 24, 2025

John Beaulieu, Siri & Glimstad, LLP, Louisville, KY, for Petitioner.

Mallori Browne Openchowski, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On March 21, 2025, Craig Smit 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 he suffered Guillain-Barré syndrome (“GBS”) as a result of an influenza (“flu”) vaccine administered to him on December 14, 2022. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On November 20, 2025, Respondent filed a Rule 4(c) Report in which he **concedes** that Petitioner is entitled to compensation in this case. Respondent’s Rule 4(c) Report (ECF No. 22) at 1-2. Specifically, Respondent agrees that Petitioner suffered GBS following a flu vaccine within the relevant time period set forth in the Vaccine Injury Table (“the Table”), and there is not a preponderance of the medical evidence that Petitioner’s

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).

GBS was due to a factor unrelated to the vaccination. *Id.* at 4 (citing 42 C.F.R. §§ 100.3(a), (c)(15); Section 13(a)(1)). The claim also meets the statutory severity requirement because Petitioner experienced sequelae of his GBS for more than six months. *Id.* (citing Section 11(c)(1)(D)(i)). Therefore, based on the record as it now stands, compensation is appropriate, as Petitioner has satisfied all legal prerequisites for compensation under the 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