In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 25-0709V

PHILIP GRAHAM,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: January 30, 2026

Chellis Garcia, Mct Law, Washington, DC, for Petitioner.

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

RULING ON ENTITLEMENT[1]

On April 24, 2025, Philip Graham 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 a shoulder injury related to vaccine administration ("SIRVA"), a defined Table injury, or in the alternative caused-in-fact or significant aggravation injury, after receiving an influenza ("flu") on February 21, 2024. Petition at 1, ¶ 1, 28, 30-32. Petitioner further alleges that he received the vaccine within the United States, that he suffered the residual effects of his SIRVA injury for more than six months, and that neither he nor any other party has filed a civil case or received

[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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compensation for his SIRVA injury. *Id.* at ¶¶ 1, 29, 35-36. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On January 28, 2026, Respondent filed his Rule 4(c) Report and Proffer of Compensation in which he concedes that Petitioner is entitled to compensation in this case. Respondent's Rule 4(c) Report and Proffer of Compensation at 1. Specifically, Respondent believes "that [P]etitioner's alleged injury is consistent with SIRVA as defined by the Vaccine Injury Table." *Id.* at 4. Respondent further agrees that "based on the record as it now stands, [P]etitioner 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