In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS
No. 14-563V
Filed: November 4, 2014

* *		
WILLIAM JAKE BROOKS and MONICA LYNN BROOKS, as the legal representatives of their minor son, C.B.; Petitioner,	*	Ruling on Entitlement; Concession; Rotavirus Vaccine; Intussusception
v.	*	
SECRETARY OF HEALTH AND HUMAN SERVICES, Respondent.	*	
* *		

Curtis R. Webb, Twin Falls, ID, for petitioners.
Alexis B. Babcock, U.S. Department of Justice, Washington, DC, for respondent.

RULING ON ENTITLEMENT[1]

Vowell, Chief Special Master:

On July 2, 2014, William Jake Brooks and Monica Lynn Brooks ["petitioners"] filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq*,[2] [the "Vaccine Act" or "Program"] on behalf of their minor son, C.B. The petition alleges that as a result of a rotavirus vaccination on July 8, 2011, C.B. suffered an intussusception, bowel resection, and sequela. Petition at 2.

On November 3, 2014, respondent filed her Rule 4(c) Report ["Respondent's Report"], in which she concedes that petitioners are entitled to compensation in this case. Respondent's Report at 5. Specifically, respondent submits that "the facts of this case [] support a finding that C.B.'s intussusception, more likely than not, was caused in

[1] Because this unpublished ruling contains a reasoned explanation for the action in this case, I intend to post this ruling and order on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). In accordance with Vaccine Rule 18(b), petitioner has 14 days to identify and move to delete 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 delete 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 "§" references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2006).

fact by the administration of the rotavirus vaccine." *Id.* Respondent notes that "C.B. suffered the effects or sequela of his injury for more than six months after vaccine administration." *Id.*

In view of respondent's concession and the evidence before me, I find that petitioners are entitled to compensation.

s/Denise K. Vowell
Denise K. Vowell
Chief Special Master