

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 14-845V

Filed: December 17, 2014

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MCKENNA WOJICK,

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Petitioner,

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Ruling on Entitlement; Concession;  
Hepatitis A, Trivalent Influenza Vaccine;

Flu Vaccine; Vasovagal Syncope;

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

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Loss of Consciousness

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Respondent.

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Ronald Homer, Conway, Homer & Chin-Caplan, P.C., Boston, MA, for petitioner.

Michael Milmo, US Department of Justice, Washington, DC, for respondent.

### **RULING ON ENTITLEMENT**<sup>1</sup>

**Vowell**, Chief Special Master:

On September 11, 2014, McKenna Wojick filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*<sup>2</sup> [the “Vaccine Act” or “Program”]. Petitioner alleged that she suffered a loss of consciousness (vasovagal syncope) and fall after receiving the Hepatitis A and trivalent influenza vaccines on November 25, 2013. Petition at 1. She seeks damages for injuries she sustained from her loss of consciousness and fall. *Id.* at 1-3. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On December 16, 2014, respondent filed a status report conceding entitlement in this case. Specifically, respondent indicates “that petitioner has proven that her injuries, including a syncopal fall, a broken right central incisor, lacerations of her lower lip, a closed head injury with a brief loss of consciousness, a contusion of her jaw, and

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<sup>1</sup> Because this unpublished ruling contains a reasoned explanation for the action in this case, I intend to post it on the United States Court of Federal Claims' website, in accordance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 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.

<sup>2</sup> 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).

muscle strain, were all caused in fact by the hepatitis A and trivalent influenza vaccines that she received on November 25, 2013.” Status Report at 1.

**In view of respondent’s concession and the evidence before me, I find that petitioner is entitled to compensation.**

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