

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 14-1235V

Filed: March 31, 2015

Unpublished

VINCENT J. CHRISTIANCY,

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Petitioner,

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SECRETARY OF HEALTH

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AND HUMAN SERVICES,

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Respondent.

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Matthew Menzer, Esq., Menzer Law Firm, PLLC, Seattle, WA for petitioner.

Lara Englund, Esq., U.S. Department of Justice, Washington, DC for respondent.

RULING ON ENTITLEMENT¹

Vowell, Chief Special Master:

On December 24, 2014, Vincent J. Christiancy 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”]. Petitioner alleges that he suffered a shoulder injury which was caused by the trivalent influenza vaccination he received on October 16, 2013. Petition at 1-2, 6. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On March 30, 2015, respondent filed her Rule 4(c) report in which she agrees that “petitioner’s alleged injury is consistent with a shoulder injury related to vaccine administration (SIRVA) . . . [and] petitioner’s SIRVA was caused-in-fact by the flu vaccination he received on October 16, 2013.” Respondent’s Rule 4(c) Report at 3.

¹ Because this unpublished ruling contains a reasoned explanation for the action in this case, I intend to post it on the United States Court of Federal Claims’ website, in accordance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

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).

Respondent further agrees that petitioner's injury lasted for more than six months and no other cause for petitioner's injury was identified. *Id.* at 3-4.

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