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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Vaccine Injury Compensation Program

List of Petitions Received

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Notice.

SUMMARY: The Health Resources and Services Administration (HRSA) is publishing this notice of petitions received under the National Vaccine Injury Compensation Program (the Program), as required by Section 2112(b)(2) of the Public Health Service (PHS) Act, as amended. While the Secretary of Health and Human Services is named as the respondent in all proceedings brought by the filing of petitions for compensation under the Program, the United States Court of Federal Claims is charged by statute with responsibility for considering and acting upon the petitions.

FOR FURTHER INFORMATION CONTACT: For information about requirements for filing petitions, and the Program in general, contact the Clerk, United States Court of Federal Claims, 717 Madison Place, N.W., Washington, D.C. 20005, (202) 357-6400. For information on HRSA's role in the Program, contact the Director, National Vaccine Injury Compensation Program, 5600 Fishers Lane, Room 11C-26, Rockville, MD 20857; (301) 443-6593.

SUPPLEMENTARY INFORMATION: The Program provides a system of no-fault compensation for certain individuals who have been injured by specified childhood vaccines. Subtitle 2 of Title XXI of the PHS Act, 42 U.S.C. 300aa-10 et seq., provides that those seeking compensation are to file a petition with the U.S. Court of Federal Claims and to serve a copy of the petition on the Secretary of Health and Human Services, who is named as the respondent in each proceeding. The Secretary has delegated this responsibility under the Program to HRSA. The Court is directed by statute to appoint special masters who take evidence, conduct hearings as appropriate, and make initial decisions as to eligibility for, and amount of, compensation.

A petition may be filed with respect to injuries, disabilities, illnesses, conditions, and deaths resulting from vaccines described in the Vaccine Injury Table (the Table) set forth at Section 2114 of the PHS Act or as set forth at 42 CFR 100.3, as applicable. This Table lists for each covered childhood vaccine the conditions which may lead to compensation and, for each condition, the time period for occurrence of the first symptom or manifestation of onset or of significant aggravation after vaccine administration. Compensation may also be awarded for conditions not listed in the Table and for conditions that are manifested outside the time periods specified in the Table, but only if the petitioner shows that the condition was caused by one of the listed vaccines.

Section 2112(b)(2) of the PHS Act, 42 U.S.C. 300aa-12(b)(2), requires that “[w]ithin 30 days after the Secretary receives service of any petition filed under section 2111 the Secretary shall publish notice of such petition in the Federal Register.” Set forth below is a list of petitions

received by HRSA on December 1, 2013, through December 31, 2013. This list provides the name of petitioner, city and state of vaccination (if unknown then city and state of person or attorney filing claim), and case number. In cases where the Court has redacted the name of a petitioner and/or the case number, the list reflects such redaction.

Section 2112(b)(2) also provides that the special master "shall afford all interested persons an opportunity to submit relevant, written information" relating to the following:

1. The existence of evidence "that there is not a preponderance of the evidence that the illness, disability, injury, condition, or death described in the petition is due to factors unrelated to the administration of the vaccine described in the petition," and
2. Any allegation in a petition that the petitioner either:
  - a) "Sustained, or had significantly aggravated, any illness, disability, injury, or condition not set forth in the Vaccine Injury Table but which was caused by" one of the vaccines referred to in the Table, or
  - b) "Sustained, or had significantly aggravated, any illness, disability, injury, or condition set forth in the Vaccine Injury Table the first symptom or manifestation of the onset or significant aggravation of which did not occur within the time period set forth in the Table but which was caused by a vaccine" referred to in the Table.

In accordance with Section 2112(b)(2), all interested persons may submit written information relevant to the issues described above in the case of the petitions listed below. Any person choosing to do so should file an original and three (3) copies of the information with the Clerk of the U.S. Court of Federal Claims at the address listed above (under the heading "For Further Information Contact"), with a copy to HRSA addressed to Director, Division of Vaccine Injury Compensation Program, Healthcare Systems Bureau, 5600 Fishers Lane, Room 11C-26, Rockville, MD 20857. The Court's caption (Petitioner's Name v. Secretary of Health and Human Services) and the docket number assigned to the petition should be used as the caption for the written submission. Chapter 35 of title 44, United States Code, related to paperwork reduction, does not apply to information required for purposes of carrying out the Program.

Dated: January 27, 2014.

Mary K. Wakefield, Ph.D., R.N.

Administrator

## List of Petitions Filed

1. Dorothy Archibong  
Staten Island, New York  
Court of Federal Claims No: 13-0944V
2. Robert T. Mitchell  
Colorado Springs, Colorado  
Court of Federal Claims No: 13-0948V
3. Merle Kaplan  
Chicago, Illinois  
Court of Federal Claims No: 13-0950V
4. Robert Ross  
Mt. Pleasant, North Carolina  
Court of Federal Claims No: 13-0955V
5. Leilah Al-Uffi on behalf of Raja Bowlds  
Phoenix, Arizona  
Court of Federal Claims No: 13-0956V
6. Donna Baldwin  
Bedford, Texas  
Court of Federal Claims No: 13-0957V
7. Giovanni Eustor  
New York, New York  
Court of Federal Claims No: 13-0958V

8. Essam Helmy  
San Francisco, California  
Court of Federal Claims No: 13-0959V
9. Eric Waterman and Taree Waterman on behalf of A.T.W., Deceased  
Las Vegas, Nevada  
Court of Federal Claims No: 13-0960V
10. James King  
Nashville, Tennessee  
Court of Federal Claims No: 13-0962V
11. Lawr-Alea Walton on behalf of Autumn Walton  
Manassas, Virginia  
Court of Federal Claims No: 13-0965V
12. Benjamin Follen  
Dedham, Massachusetts  
Court of Federal Claims No: 13-0967V
13. Josita Walker on behalf of Jabari A Walker  
Albany, New York  
Court of Federal Claims No: 13-0968V
14. Tracy Caps  
Warren, Michigan  
Court of Federal Claims No: 13-0973V
15. Angel Y. Davis  
Springfield, Illinois  
Court of Federal Claims No: 13-0974V

16. Michelle Wilton on behalf of Troy Wilton  
Huntington Beach, California  
Court of Federal Claims No: 13-0976V
17. Theresa Hudson on behalf of Jackie Hudson, Deceased  
Monmouth, Maine  
Court of Federal Claims No: 13-0977V
18. James Chapman  
Tampa, Florida  
Court of Federal Claims No: 13-0979V
19. Charlene Macomber  
Salt Lake City, Utah  
Court of Federal Claims No: 13-0980V
20. Janet Powell  
Victoria, Texas  
Court of Federal Claims No: 13-0983V
21. Lorraine Lupio  
Garwood, New Jersey  
Court of Federal Claims No: 13-0984V
22. Ching-Ping Chih  
Miami, Florida  
Court of Federal Claims No: 13-0985V
23. Virginia Merrihew  
Kinnelon, New Jersey  
Court of Federal Claims No: 13-0986V

24. Hugo D. Gutierrez  
Green Bay, Wisconsin  
Court of Federal Claims No: 13-0987V
25. Kathy Kovalcik  
Freeport, Pennsylvania  
Court of Federal Claims No: 13-0991V
26. Donald Memmo  
Somers Point, New Jersey  
Court of Federal Claims No: 13-0992V
27. Julie Suliman  
Edison, New Jersey  
Court of Federal Claims No: 13-0993V
28. Marvin C. Setness  
Henderson, Nevada  
Court of Federal Claims No: 13-0996V
29. Sheila Graffeo on behalf of Jessica Graffeo, Deceased  
Lafayette, Louisiana  
Court of Federal Claims No: 13-0997V
30. Michael Anderson  
Lincoln, Nebraska  
Court of Federal Claims No: 13-0998V
31. Victor York  
Boston, Massachusetts  
Court of Federal Claims No: 13-0999V

32. David Herren and Theresa Herren on behalf of A.H.  
Louisville, Kentucky  
Court of Federal Claims No: 13-1000V
33. Christina Moore on behalf of T.B., Deceased  
Seymour, Tennessee  
Court of Federal Claims No: 13-1001V
34. Dillon Copenhaver and Amanda Buckman on behalf of Nicholas Copenhaver, Deceased  
Shelbina, Missouri  
Court of Federal Claims No: 13-1002V
35. Ariel Ahram  
Oklahoma City, Oklahoma  
Court of Federal Claims No: 13-1004V
36. Sarah Williamson  
Council Bluffs, Iowa  
Court of Federal Claims No: 13-1005V
37. Raithe Pace  
Lansdale, Pennsylvania  
Court of Federal Claims No: 13-1007V
38. Dana M. Brasher  
Rockford, Illinois  
Court of Federal Claims No: 13-1017V
39. Krista Schultz  
Richmond, Indiana  
Court of Federal Claims No: 13-1018V

40. Joseph Corona  
Lake Jackson, Texas  
Court of Federal Claims No: 13-1019V
41. Evelyn Eiche  
Galveston, Texas  
Court of Federal Claims No: 13-1020V
42. Michael Dorkoski and Lisa Whispell on behalf of M.D.  
Mt. Carmel Township, Pennsylvania  
Court of Federal Claims No: 13-1022V
43. April Noon on behalf of Eric J. Noon  
New York, New York  
Court of Federal Claims No: 13-1029V

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