

ORIGINAL

FILED
DEC - 3 2003
U.S. COURT OF
FEDERAL CLAIMS

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS

IN RE: CLAIMS FOR VACCINE *
INJURIES RESULTING IN AUTISM *
SPECTRUM DISORDER, OR A SIMILAR *
NEURODEVELOPMENTAL DISORDER, *

Autism Master File

Various Petitioner(s), *

**NON-PARTY BAXTER
HEALTHCARE CORPORATION'S
MOTION FOR LEAVE TO PROCEED
AS AN INTERESTED PARTY**

v. *

SECRETARY OF HEALTH AND *
HUMAN SERVICES, *

Respondent. *

Pursuant to Vaccine Rule 15, Baxter Healthcare Corporation files this motion for leave to proceed as an interested party. In connection with the currently pending Omnibus Proceeding, Petitioners filed a Motion seeking issuance of a subpoena for documents from non-party Merck & Co., Inc. Special Master George L. Hastings has allowed other vaccine manufacturers to submit a response to that motion, which Baxter now submits contemporaneously with this Motion. Accordingly, Baxter requests that this Motion be granted and the accompanying papers be accepted for filing.

Respectfully submitted,

BAXTER HEALTHCARE CORPORATION

Date: December 2, 2003

BY: 
LEE DAVIS THAMES (MSB #8061)
DONNA BROWN JACOBS (MSB # 8361)

ITS ATTORNEYS

OF COUNSEL:

BUTLER, SNOW, O'MARA, STEVENS
& CANNADA, PLLC
AmSouth Plaza, 17th Floor
210 East Capitol Street
Jackson, MS 39201
Phone: 601-948-5711

CERTIFICATE OF SERVICE

I, Donna Brown Jacobs, one of the attorneys for the defendant Baxter Healthcare Corporation, do hereby certify that I have this day caused to be mailed, via United States mail, first-class postage fully prepaid, true and correct copies of the foregoing.

Vincent Matanoski
U. S. Department of Justice
Torts Branch, Civil Division
P.O. Box 146, Benjamin Franklin Station
Washington, D.C. 20044-0416

Ghada Anis
Petitioners' Steering Committee
733 15th Street, N.W., Suite 700
Washington, D.C. 20005

Michael L. Williams
Williams Dailey O'Leary Craine & Love, P.C.
1001 SW 5th Avenue, Suite 1900
Portland, Oregon 97204-1135

THIS the 2nd day of December 2003.


DONNA BROWN JACOBS