

ORIGINAL

FILED

SEP 30 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,

Various Petitioners,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

AUTISM MASTER FILE

**Requests for the Production of Documents:
Centers for Disease Control and Prevention**

**TO: THE UNITED STATES CENTERS FOR DISEASE CONTROL AND
PREVENTION ("CDC") AND ITS ATTORNEYS**

PLEASE TAKE NOTICE that petitioners, through their attorneys, request the production of the documents described herein. The documents requested relate to a study and report published in 2003 in the American Journal of Preventive Medicine, volume 25, number 2. The principle author of the study was Dr. Paul Stehr-Green, and the study will be referred to herein as "the study" or "the Stehr-Green study." The published study reports that the National Immunization Program of the Centers for Disease Control and Prevention ("CDC") provided financial support for the compilation of data used in the investigation and the preparation of the report. Petitioners therefore direct this request for the production of documents to the CDC, including any of its employees, agents, officers, political subdivisions, as well as any person or entity employed by, under contract to, or funded by CDC.

The term "document" in these requests is meant in its broadest sense. It is intended to include the original and/or any copy regardless of origin or location, of any contract, agreement,

**Page 1 - Requests for the Production of Documents: Centers for Disease Control and
Prevention**

invoice, book, pamphlet, periodical, letter, memorandum, telegram, report, record, study, handwritten note, map, drawing, working paper, chart, paper, graph, index, tape, data sheet, data processing card, e-mail, electronically stored information such as on computer disk or hard drive, file server, or other computer backup storage system, or any other written, recorded, computer generated, transcribed, punched, taped, filmed, photographic or graphic matter, however produced or reproduced to which defendant has had access. The term "document" also includes all tangible things, including products, devices, samples or models.

The CDC shall produce documents regarding the following subjects:

REQUEST NO. 1: All the data compilations or datasets the Stehr-Green study investigators used or relied upon in calculating the autism rates in each country studied for each year the country was studied.

RESPONSE:

REQUEST NO. 2: All the data compilations or datasets the Stehr-Green study investigators used or relied upon in calculating the rates of vaccine coverage in each country studied for each year the country was studied.

RESPONSE:

REQUEST NO. 3: All the data compilations or datasets, and the calculations or other interpretive methodologies, that the Stehr-Green study investigators used or relied upon in estimating thimerosal and ethyl mercury exposure for each country studied for each year the country was studied.

RESPONSE:

REQUEST NO. 4: All correspondence, including phone logs, memoranda, letters, email, and any other recording or memorialization of any correspondence relating to the study that were sent or received between the investigators (and by "investigators", we mean the named authors of the study, and also Roger Bernier and Susan Chu) and any other persons (whether in or out of the government) while the study was being designed and while it was pending.

RESPONSE:

REQUEST NO. 5: All correspondence, including phone logs, memoranda, letters, email, and any other recording or memorialization of any correspondence relating to the study which were exchanged among any of the investigators while the study was being designed and while it was pending.

RESPONSE:

REQUEST NO. 6: All peer-review comments generated in response to the draft manuscript.

RESPONSE:

REQUEST NO. 7: All documents describing the design of the study and the study protocols.

RESPONSE:

REQUEST NO. 8: All documents relating to CDC's decision to fund the study, including but not limited to: requests for proposals, requests for grant applications, requests for bids, proposed contracts for investigation, and all replies and responses thereto; and all grant proposals, funding applications, bids, proposed contracts, and any other request for funding.

RESPONSE:

REQUEST NO. 9: Billings for time and work on the study as submitted by every author, investigator and consultant who participated in the study in any manner.

RESPONSE:

REQUEST NO. 10: All progress reports, updates, status reports or any other communication describing the progress of the study both as it was designed and as it was underway.

RESPONSE:

REQUEST NO. 11 Minutes, notes, and any other record of meetings between the study investigators, including any meetings during the design of the study, the conduct of the study, the peer review of the study, and continuing to the present time.

RESPONSE:

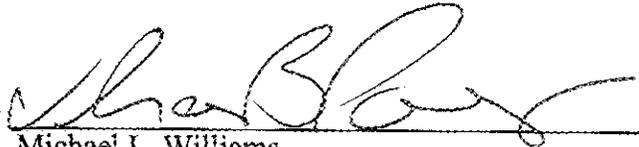
REQUEST NO. 12 Notes or other record of the conversation with WC Thompson about other relevant studies that were underway, and any communications, in any medium, between WC Thompson and any of the study investigators.

RESPONSE:

REQUEST NO. 13 Any correspondence of any kind received by any of the investigators about the study, whether critiquing it or praising it, since it was published.

RESPONSE:

DATED this 29th day of September, 2003

By: 

Michael L. Williams
Thomas B. Powers
Counsel for Petitioners' Steering Committee

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CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2003, I served the foregoing **Request For Production Of Documents** on the following individual(s):

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

by regular mail and facsimile.

WILLIAMS DAILEY O'LEARY CRAINE & LOVE, P.C.



Brenda D. Steinle, Assistant to Michael L. Williams
Attorneys for Petitioners' Steering Committee