

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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CLAUDIA HUERTA and ELEAZAR	*	
HUERTA, as the Parents and Natural	*	No. 12-854V
Guardians of V.H., a Minor,	*	Special Master Christian J. Moran
	*	
Petitioners,	*	Filed: May 3, 2013
	*	
v.	*	
	*	Entitlement to compensation; human
SECRETARY OF HEALTH	*	papillomavirus (HPV) vaccine; Chronic
AND HUMAN SERVICES,	*	Regional Pain Syndrome (CRPS);
	*	causation-in-fact
Respondent.	*	

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Mark T. Sadaka, Englewood, NJ, for Petitioners;  
Alexis B. Babcock, U.S. Department of Justice, Washington, D.C., for Respondent.

### UNPUBLISHED RULING AWARDING COMPENSATION<sup>1</sup>

On December 10, 2012, petitioners Claudia and Eleazar Huerta, as parents and natural guardians of V.H., a minor, sought compensation for V.H.'s Chronic Regional Pain Syndrome ("CRPS"), resulting from the human papillomavirus ("HPV") vaccination she received on March 23, 2010. Petitioners seek compensation pursuant to the National Vaccine Injury Compensation Program, 42 U.S.C. § 300aa-10 *et seq.* (2006).

In the Rule 4 report, filed on April 30, 2013, respondent stated that petitioners' claim is compensable under the Act. Respondent stated that the Division of Vaccine Injury Compensation, Department of Health and Human Services, has reviewed the facts of this case and have concluded that the petitioners are entitled to a vaccine award as "the facts of this case support a finding that [V.H.]'s CRPS, more likely than not, was caused in fact by the administration of the HPV vaccine on March 23, 2010." Resp't Rep. at 4.

Special masters may determine whether a petitioner is entitled to compensation based upon the record. A hearing is not required. 42 U.S.C. § 300aa-13; Vaccine Rule 8(d). Based

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<sup>1</sup> The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

upon a review of the record as a whole, the undersigned finds that petitioners have established that they are entitled to compensation for V.H.'s injuries.

Accordingly, **petitioners are entitled to compensation.** A status conference is set for **Monday, June 10, 2013 at 10:00 A.M. Eastern Time** to discuss the parties' initial efforts to quantify the amount of damages to which petitioners are entitled. The Office of Special Masters will initiate the call.

Any questions may be directed to my law clerk, Jay All, at (202) 357-6353.

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master