

U.S. COURT OF FEDERAL CLAIMS OFFICE OF SPECIAL MASTERS

Background Only

The Autism Proceedings

- - Test Case Theories

The Petitioners' Steering Committee (PSC) has advanced three different theories of "general causation," i.e., how the vaccines involved can cause autism, in the Omnibus Autism Proceeding. The Office of Special Masters (OSM) has assigned three Special Masters to resolving the autism cases. Thus, the OSM instructed the PSC to designate three "test cases" for each of the three theories, a total of nine test cases. The three theories of "general causation" are: (1) the theory that MMR vaccines and thimerosal-containing vaccines can combine to cause autism; (2) the theory that thimerosal-containing vaccines can cause autism; and, (3) the theory that MMR vaccines, without regard to any thimerosal additive, can cause autism.

- - Hearings Conducted on the First Theory

During 2007, Hearings were conducted in the three "test cases" representing the PSC's first "general causation" theory. Specifically, in June of 2007 Special Master George Hastings presided over Cedillo v. HHS, No. 98-916V; in October of 2007 Special Master Patricia Campbell-Smith presided over Hazlehurst v. HHS, No. 03-654V, and in November of 2007 Special Master Denise Vowell presided over Snyder v. HHS, No. 01-162 V. Post-trial briefing is nearing completion in the three test cases on the first theory of causation. At that point the record will be complete and the Special Masters will issue their rulings in the respective cases.

- - Hearings to be Conducted on the Second and Third Theories

The evidentiary Hearing in the test cases for the second theory of causation is scheduled for May 12-30, 2008, in Courtroom 402 of the National Courts Building in Washington, DC. The Hearing in the test cases for the third theory of causation is scheduled for trial in mid-September, 2008.

- - Source for Additional Autism Proceedings Information

The Docket of the Omnibus Autism Proceeding is available on-line at the Court's website at www.uscfc.uscourts.gov. From the homepage, click on the "Vaccine Info" link, then on the "Autism Proceeding" link. The Docket of the Omnibus Autism Proceeding traces the history of the autism litigation before the Special Masters from General Order #1, filed July 3, 2002, which established and explains the Omnibus Proceeding, through the most recent Autism Update, filed April 23, 2008. The Docket is the most complete source of information regarding the Autism litigation.