

In the United States Court of Federal Claims
ORIGINAL

OFFICE OF SPECIAL MASTERS
(Filed: March 22, 2007)

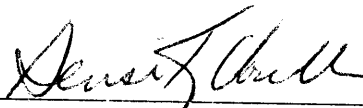
FILED
MAR 22 2007
O S M
U.S. COURT OF
FEDERAL CLAIMS


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. *

ORDER ATTACHING PSC'S POSITION RE "ACCESS" ISSUE

The following document was filed into the record of the Cedillo case by the Cedillo's counsel. The PSC has now authorized the filing of this document into the Autism Master File, as representing the PSC's position concerning access to the Cedillo hearing.


Patricia Campbell-Smith
Special Master


Denise Vowell
Special Master


George L. Hastings, Jr.
Special Master

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

 THERESA CEDILLO and MICHAEL CEDILLO, *
 as Parents and Natural Guardians of *
 MICHELLE CEDILLO, *
 *
 Petitioner, * No. 98-916V
 * Special Master
 v. * GEORGE L. HASTINGS, Jr.
 *
 SECRETARY OF THE DEPARTMENT OF *
 HEALTH AND HUMAN SERVICES, *
 *
 Respondent. *

PETITIONER'S RESPONSE TO ORDER OF MARCH 2, 2007

As the Special Master notes, the petitioner has agreed to advise him of the petitioner's position with respect to issues concerning "public disclosure of the expert reports, and whether the Cedillos will agree to open the evidentiary hearing in this case to (1) other autism families/counsel and (2) the public." Order of March 2, 2007. The petitioner respectfully responds.

1. The petitioner agrees that her expert reports may be placed in the Omnibus Autism General File and be available to Omnibus Autism Proceeding (OAP) petitioners and their counsel. Such a procedure, in counsel's view, worked well in the rubella/arthropathy cases.¹ However, the petitioner does not

¹ See, *Analysis of Recent Evidence Concerning General Rubella/Arthropathy Causation Issue*, published as *Snyder, et al. v. Sec'y of HHS*, 2002 WL 3196574 (Fed. Cl. Spec. Mstr. Dec. 13, 2002).

agree to permit expert reports to be available "on line" via the Office of the Special Masters Docket of Omnibus Autism Proceeding Web Site. In this regard, the petitioner asks the Special Master to appreciate the delicacy and potential volatility of this issue. While the identity and opinions of all experts obviously will be disclosed at the hearing on June 11, 2007, it is essential that, until that time, the experts remain focused and be protected from possible harassment and outside distractions. The petitioner understands that the respondent has stated a similar position.

2. The petitioner agrees- indeed insists- that the evidentiary hearing in her case be open to other autism families, their counsel, and the public.

DATED: March 5, 2007

Respectfully submitted,

____s/ Ronald C. Homer_____
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