

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

MICHAEL L. WILLIAMS
mwilliams@wdolaw.com

KATHLEEN M. DAILEY
kdailey@wdolaw.com

LESLIE W. O'LEARY
loleary@wdolaw.com

DIANA L. CRAINE
dcraine@wdolaw.com

SUITE 1900
1001 SW 5TH AVE
PORTLAND, OREGON 97204-1135

TELEPHONE 503/295-2924
FAX NUMBER 503/295-3720
TOLL FREE 800/842-1595
WWW.WDOLAW.COM

LINDA C. LOVE
llove@wdolaw.com

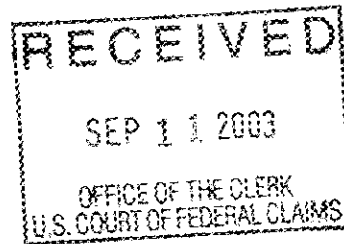
BRIAN S. CAMPF
bcampf@wdolaw.com

THOMAS B. POWERS
tpowers@wdolaw.com

September 10, 2003

VIA OVERNIGHT MAIL

Clerk of the Court
U.S. Court of Federal Claims
717 Madison Place, NW
Washington, DC 20005-1011



Re: Petitioners' Steering Committee Memorandum Regarding Serial Injury

Dear Clerk:

Enclosed for filing please find the original and a copy of Petitioners' Steering Committee brief regarding Serial Injury Theory.

Thank you.

Sincerely,

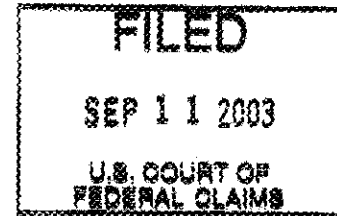
A handwritten signature in cursive script, appearing to read "Dannee Kessler".

Dannee Kessler
Paralegal

dk:dk

c: Mark Raby, U.S. DOJ
Vince Matanoski, U.S. DOJ
Ghada Anis, P.S.C.

ORIGINAL



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
DEVELOPMENTAL DISORDER,

Various Petitioners,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

AUTISM MASTER FILE

**Petitioners' Steering Committee Statement re "Series of Injuries" in Woods v. Sec'ty of the
Dept. of Health and Human Services.**

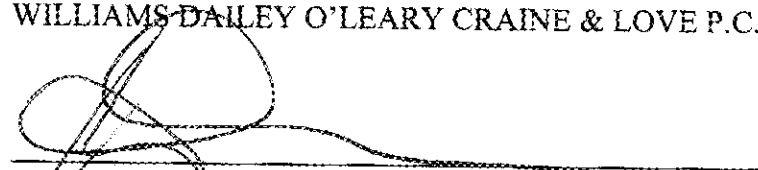
The Petitioners' Steering Committee ("PSC") was asked by Mr. Kenneth W. Jones of the Kenneth W. Jones Law Offices to discuss the legal issues raised by the Special Master Hastings' Order of February 6, 2003 in Woods v. Sec'ty of the Dept. of Health and Human Services, No. 02-1317V. Mr. Jones and the PSC specifically discussed whether the PSC would submit a legal brief as part of petitioner Woods' response to respondent's dismissal brief regarding the "series of injuries" issue raised by the Special Master in his February 6, 2003 Order. The Special Master was advised that the PSC was considering the issue and that a brief would be forthcoming.

Based on extensive discussions with Mr. Jones, and a review of the file in Woods, the PSC respectfully declines to submit a legal brief on this issue at this time. The questions posed by the "series of injuries" theory are ones of fact, not of law, and present issues of general causation at the very heart of the Omnibus Proceeding. The PSC believes that the questions raised by the Special Master can only be addressed by the various scientific and medical experts after appropriate opportunity to review and analyze the scientific data, including that sought through the Omnibus discovery process.

The PSC suspects that there will be much debate at the time of the Omnibus causation hearings that will specifically address whether or not children repeatedly exposed to ethylmercury in receipt of serial vaccines sustained new, additional, or continuing injuries with each exposure, and whether the serial vaccines constituted significant aggravations of any injuries. Such testimony must be left to the realm of the experts and not to the PSC's speculation, and is therefore not amenable to a general legal brief at this time.

DATED this 10th day of September, 2003.

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



Michael L. Williams, Plaintiff Steering Committee
Of Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on September 10th, 2003, I served the foregoing PSC Statement re "Series of Injuries" 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

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

Ghada Anis
Petitioner's Steering Committee
733 15th Street, NW, Suite 700
Washington, DC 20005

by Regular Mail.

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



Dannee Kessler, Assistant to Michael L. Williams
Of Attorneys for Plaintiff