

In the United States Federal Claims
ORIGINAL
OFFICE OF SPECIAL MASTERS

(Filed: September 1, 2006)

IN RE: CLAIMS FOR VACCINE INJURIES *
RESULTING IN AUTISM SPECTRUM *
DISORDER OR A SIMILAR *
NEURODEVELOPMENTAL DISORDER *

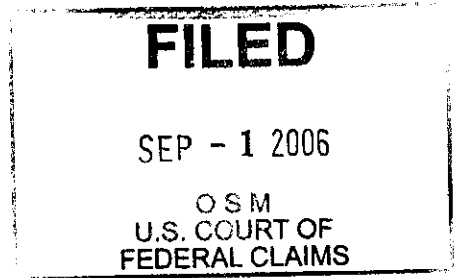
AUTISM MASTER FILE

VARIOUS PETITIONERS, *

v. *

SECRETARY OF HEALTH AND *
HUMAN SERVICES, *

Respondent. *



SUPPLEMENTAL NOTICE
RE JUDICIAL CONFERENCE AND SPECIAL
“IN-PERSON” AUTISM STATUS CONFERENCE

On March 28, 2006, I placed into the Autism Master File a notice concerning this court’s upcoming Judicial Conference and the Omnibus Autism Proceeding status conference that I will conduct in conjunction with the Judicial Conference. At this time, I note that registration information for the Judicial Conference is *now available* on this court’s website (www.uscfc.uscourts.gov). Further, additional information about the Judicial Conference is also now available as will be set forth below.

The Judicial Conference will be held on October 25, 2006, at the historic Willard Hotel in Washington, D.C. *During the conference, there will be three events of particular relevance to attorneys who have pending Vaccine Act cases involving Autism claims.* First, at 10:00 a.m., I will be conducting an “in-person” status conference concerning the Omnibus Autism Proceeding. Any attorney with a pending autism case will be invited to participate in that status conference, with ample time provided for asking questions. Second, the Petitioners’ Steering Committee in the Omnibus Autism Proceeding has notified me that a meeting of that committee will take place at 8:30 a.m. to 9:45 a.m. (Counsel may contact Tom Powers by telephone at (503) 295-2924, or by email at tpowers@wdolaw.com, for additional details concerning the meeting of the Petitioners’ Steering Committee.)

Third, in another effort to make this Judicial Conference relevant to Vaccine Act attorneys, during the afternoon there will be two special panels of the Judicial Conference devoted to the topic of “causation-in-fact in the Vaccine Program.” The Chief Special Master has assembled two excellent panels of speakers to discuss this topic. Coming on the heels of the Federal Circuit’s recent opinions in *Althen*, *Capizzano*, and *Pafford*, these sessions will discuss the Circuit’s causation opinions and explore other appellate issues in Vaccine Act cases.

The first panel will explore the meaning of the Circuit’s recent rulings. It will be moderated by one of the three “new” Special Masters, **Denise Vowell**. Special Master Vowell should have little problem generating a lively discussion with the two panelists: **Professor Betsy Grey** of Arizona State University Law School, and **Professor Michael Green** of Wake Forest University Law School. Professor Grey is very well-suited for this discussion, as she and several of her colleagues have been studying the Vaccine Program in depth for nearly two years. Likewise, Professor Green is well versed in the vaccine case law, having participated in the Vaccine session on causation at the 2004 Judicial Conference. Given the Circuit’s decisions in *Althen*, *Capizzano*, and *Pafford*, and the related recent rulings of judges of the Court of Federal Claims, these outside perspectives from two professors should be very interesting and informative.

The second panel discussion of appellate issues will no doubt prove the equal of the first. The moderators for this panel will be **Professors Grey and Green**. The panelists will be **Judge Eric Bruggink** and **Judge Lawrence Block** of the United States Court of Federal Claims, along with **Judge William Bryson** and **Judge Raymond Clevenger III** of the Court of Appeals for the Federal Circuit. We have not previously had a public discourse with the appellate judges on their perspective concerning litigation under the Vaccine Program. This should be a very interesting discussion.

I hereby again cordially invite all attorneys with pending autism claims to participate in the Omnibus Autism Proceeding status conference, and in the additional events described above.

Sincerely,

A handwritten signature in black ink, appearing to read "G. L. Hastings, Jr.", written in a cursive style.

George L. Hastings, Jr.
Special Master