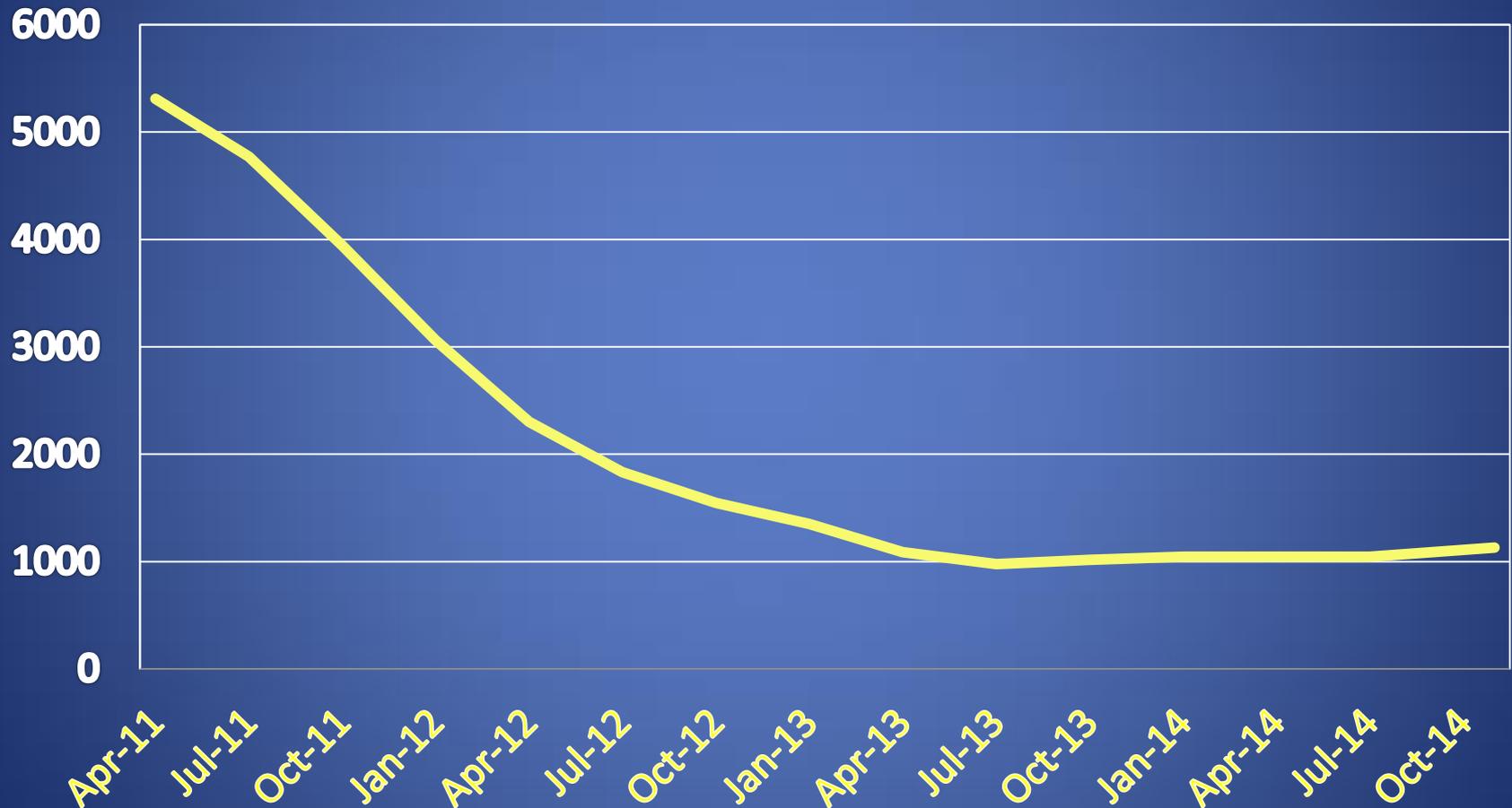


**OSM UPDATE**

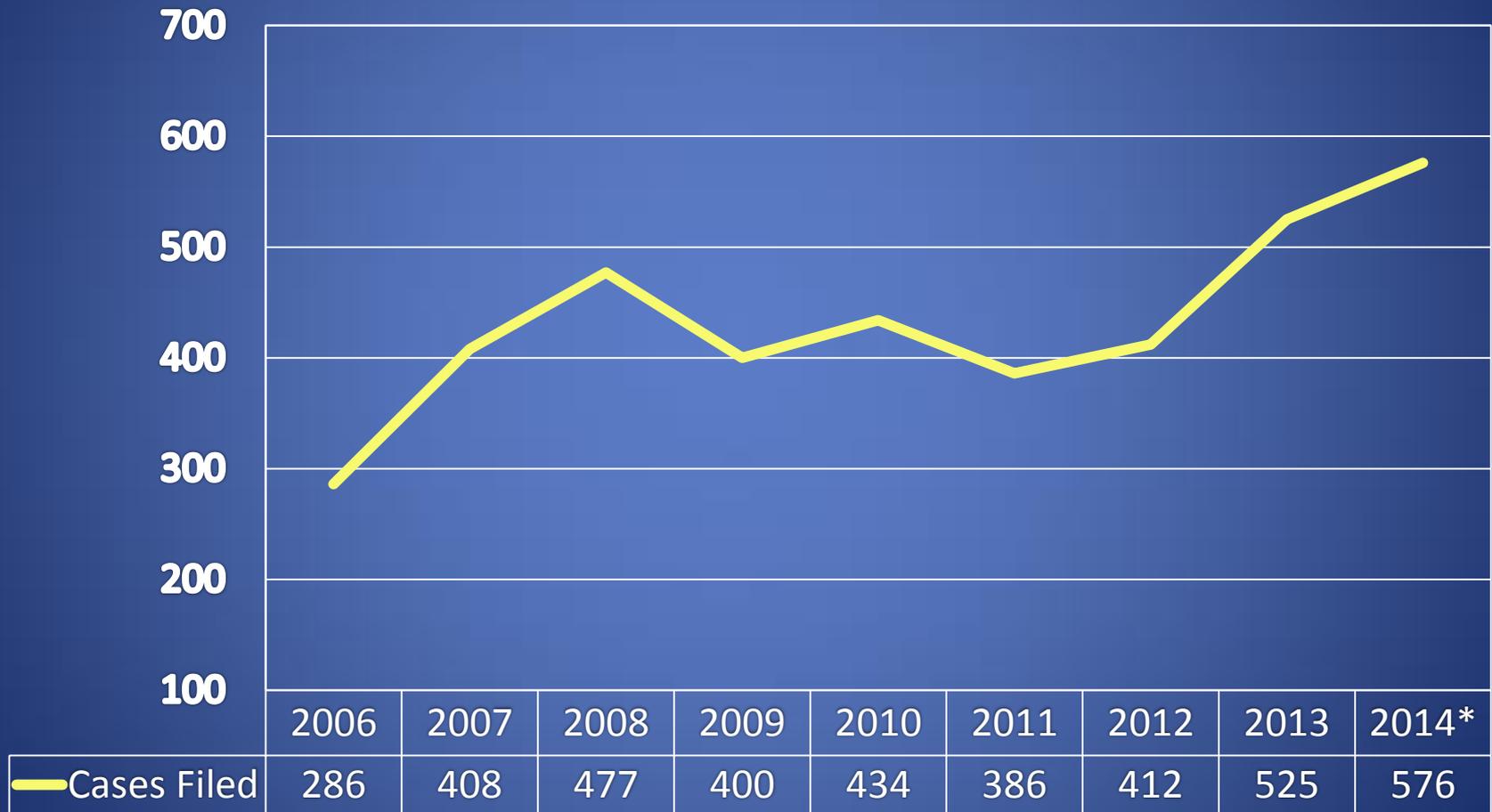
# Recent Caseload Trends-Cases Pending

Data as of Nov 1, 2014



# Recent Caseload Trends-Annual Filings

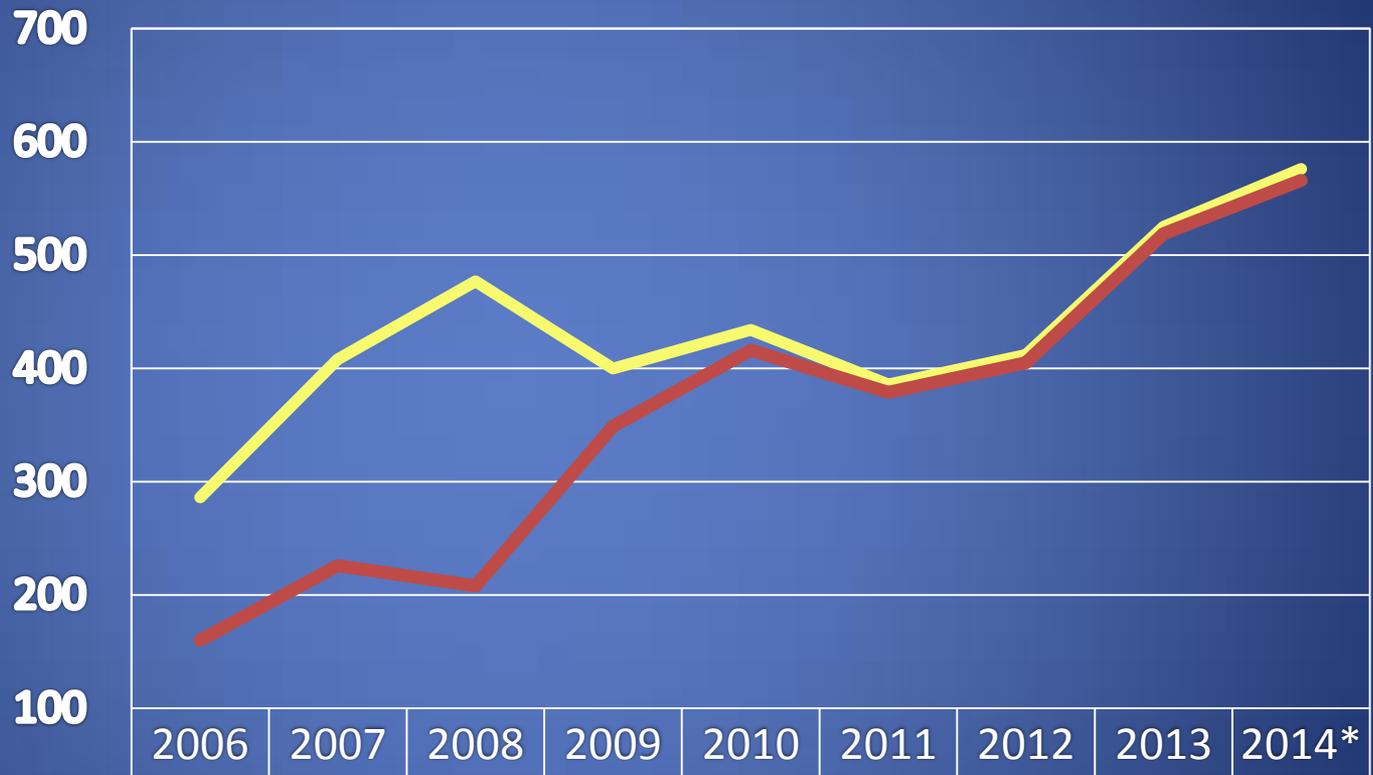
Data as of Nov 1, 2014



\*Data through October 31

# Recent Caseload Trends-Annual Filings

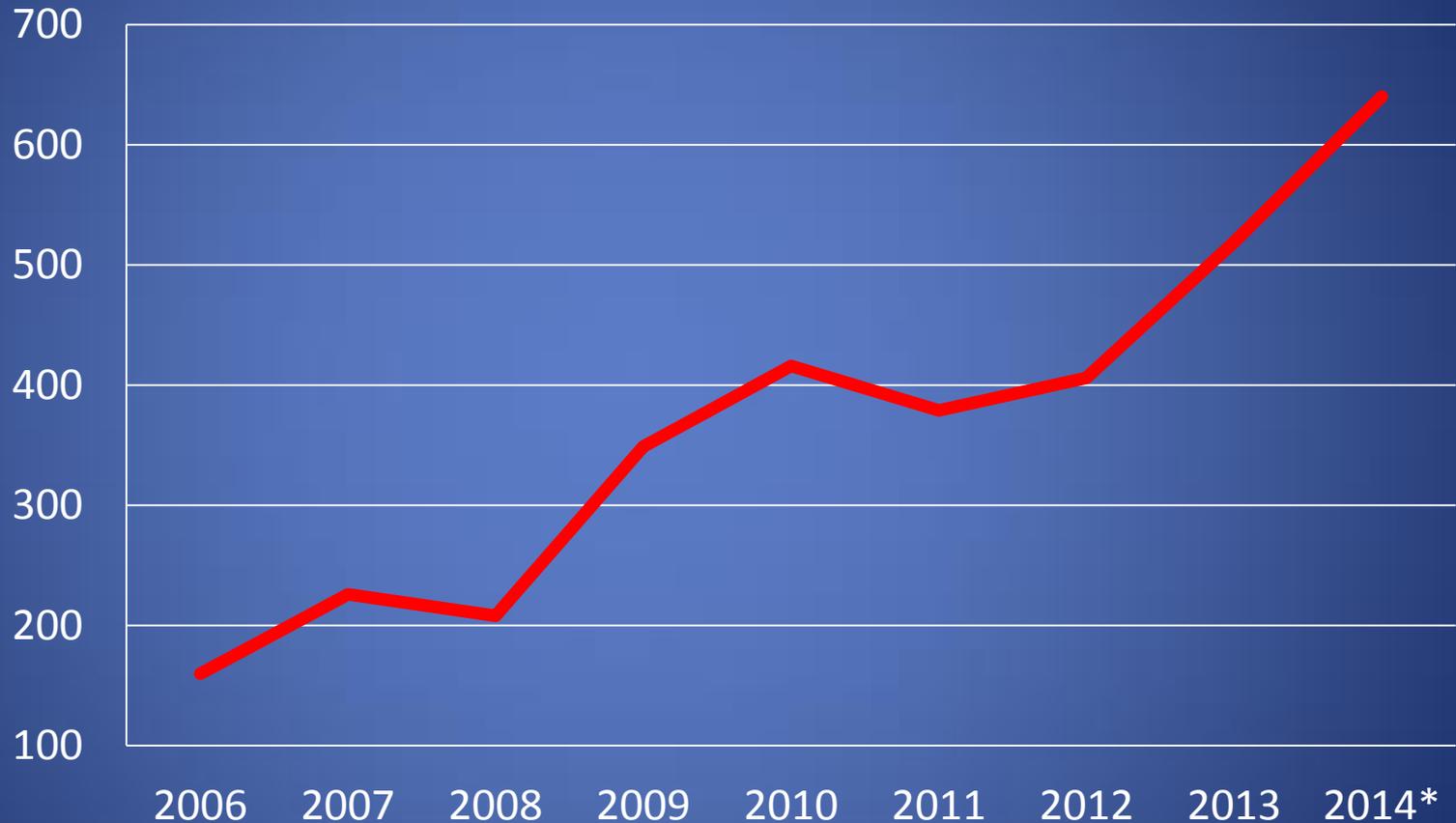
Data as of Nov 1, 2014



— Cases Filed	286	408	477	400	434	386	412	525	576
— Non Autism Cases	160	226	208	349	416	379	405	519	566

# Non-Autism Caseload Trends

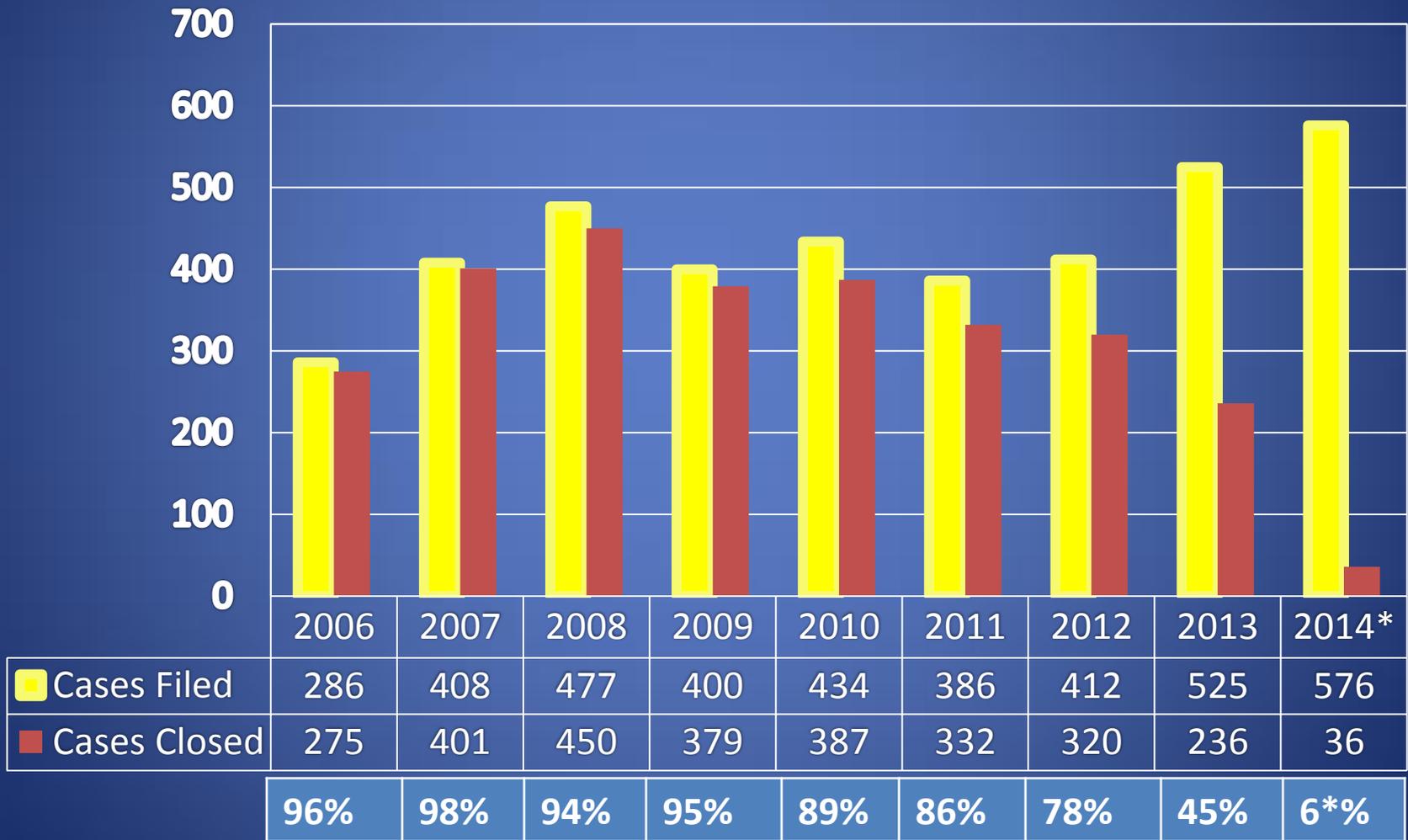
## Projected 2014 Filings



\*Projected Filings 2014

# Recent Caseload Trends-Percentage Closed

Data as of Nov 1, 2014



\*Data as of November 1

# Meeting the Caseload Challenges

- Consultation with the vaccine bar
- Staff attorney and OAP drawdown experience and availability
- Types of cases and methods of resolution
  - Table cases about 2% of annual filings
  - 80% of cases ultimately settle
  - “Quasi-Table” cases generally settle easily
  - “Fast-Track” lessons learned
- Standard filing and case management were developed in an era of contested entitlement

# Special Case Processing Unit (SPU)

- Parameters for inclusion:
  - Table and Quasi-Table cases
  - Other cases likely to settle
  - Cases that must be dismissed
- Methodology:
  - All new petitions reviewed by CSM
  - Cases meeting parameters assigned to CSM's docket
  - Other cases assigned on the wheel
  - Staff attorney case management
  - Frequent and regular consultation with CSM
  - Transfer of “bad fit” cases

# SPU Is Not Business as Usual

---

- Differences in Processing:
  - Tighter but not unreasonable deadlines
  - Less onerous filing requirements
  - Status conferences and status reports more frequent
  - In-depth review of medical records and early discussion of strengths and weaknesses
  - Focus on resolving cases faster
  - Fostering a spirit of cooperation and consultation

# SPU's First Three Months

---

- Types and number of cases assigned
- Waypoints (averages from filing date):
  - First medical records filed—9 days (99% of cases)
  - Assignment of respondent's counsel—12 days (100%)
  - Statement of completion filed—25 days (78%)
  - Initial Status Conference held—28 days (94%)
  - Communication of respondent's initial position—70 days (39%)
  - Concession—87 days (12% )

# SPU's First Three Months

---

- Outcomes as of November 1 in the 33 cases with respondent's feedback:
  - 76% of cases with respondent's feedback are moving toward or have awards of compensation
    - Damages awards in 2 cases (one \$1.1M judgment)
    - Concessions in 7 cases
    - 15 week order in 1 case
    - Discussing settlement in 15 more cases
  - 4 cases transferred to other special masters
  - 4 cases have orders to produce an expert report

# What We've Learned

---

- What we've learned:
  - For Petitioners
    - Petition content must be accurate and focused
    - Prompt and correct filing of medical records is pivotal
    - Need for supporting documentation and fact-specific affidavits
    - Preparing and conveying a demand as soon as possible
    - Filing damages affidavit promptly
  - For Respondent
    - Working to educate client agency about SPU case management and faster deadlines
    - Need to justify production of some medical records
    - Providing informal and tentative feedback as soon as possible

# How Are Cases Assigned to SPU?

The petition is the only matter considered

- Petition content:
  - Do include
    - Nature of injury
    - Date of vaccination
    - Onset of symptoms
    - Factors bearing on damages (age of vaccinee, employment history, age, health prior to vaccination, length and extent of recovery, procedures required)
  - Do not include
    - Lengthy quotes from medical records
    - Number of cats owned by petitioner and hobbies enjoyed

**CONCLUSION**