

In the United States District Court for the District of Columbia
ORIGINAL Federal Claims

OFFICE OF SPECIAL MASTERS

(Filed: July 14, 2004)

FILED
JUL 14 2004
U.S. COURT OF
FEDERAL CLAIMS

IN RE: CLAIMS FOR VACCINE INJURIES *
RESULTING IN AUTISM SPECTRUM *
DISORDER OR A SIMILAR *
NEURODEVELOPMENTAL DISORDER *
VARIIOUS PETITIONERS, *
v. *
SECRETARY OF HEALTH AND *
HUMAN SERVICES, *
Respondent. *

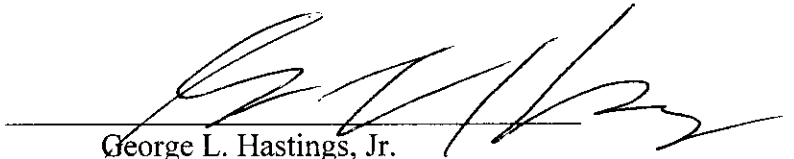
AUTISM MASTER FILE

SCHEDULING ORDER

An unrecorded telephonic status conference was held on June 29, 2004. Participating were Michael Williams, Thomas Powers, and Ghada Anis for the petitioners, along with Vincent Matanoski, Mark Raby, and Linda Renzi for the respondent. At that conference, we discussed, *inter alia*, the issue of the evidentiary hearing concerning the pending motion by the petitioners to compel discovery from respondent. Respondent's counsel argued that such hearing should be proceeded by the filing of one or more expert reports by petitioners. Petitioners' counsel proposed, however, that in lieu of expert reports, petitioners would present *oral testimony* of a physician, Dr. Austin, and a biostatistician, Dr. Lally, at a hearing. At a *second* hearing, respondent could then present responsive witnesses and the petitioners could present rebuttal testimony. I determined to follow the latter method of procedure.

After further discussion concerning scheduling, due to conflicts for both petitioners' counsel and respondent's counsel, it was determined that the first hearing could not be scheduled earlier than September. Later, at another telephonic conference, held on July 13, 2004, we agreed on the date of September 23, 2004. At 9:30 a.m. on that date, the petitioners will present the testimony of Drs. Austin and Lally. The week of October 25 has been set aside for the second hearing, and the parties will attempt to agree on dates during that week for that hearing.

The next status conference for the Omnibus Autism Proceeding has been scheduled for August 10, 2004, at 3:00 p.m. Eastern (12 noon Pacific) time.



George L. Hastings, Jr.
Special Master