

ORIGINAL
In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

(Filed: December 16, 2003)

FILED DEC 16 2003 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. *

AUTISM MASTER FILE

ORDER PERMITTING FILING OF RECORDS BY CD-ROM

In any autism case on my docket, in lieu of a paper copy of petitioner's medical records and other exhibits, the petitioner may submit an electronically formatted CD-ROM containing petitioner's medical records and other exhibits, in accordance with the following:

A. Preparation of Documents on CD-ROM

1) *Technical Standards.* Standards for formatting CD-ROMs shall be determined by the Clerk of this Court. The Clerk has determined that all documents shall be stored in **PDF format**.

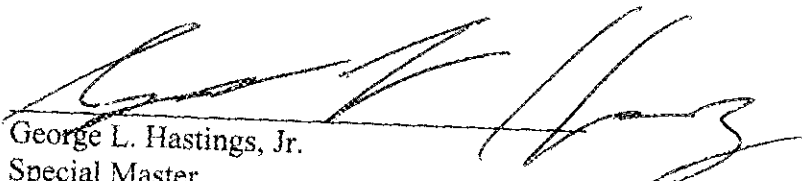
2) *Number of CD-ROMs Filed.* For each CD-ROM that the petitioner files with the Clerk's office, the petitioner shall file an additional CD-ROM containing the same material. The original CD-ROM shall be designated "Original" and the second CD-ROM shall be designated "Copy." The petitioner shall so label each disk.

3) *Labeling CD-ROM.* For each CD-ROM that the petitioner files with the Clerk's office, the petitioner shall label the CD-ROM with the following information: (a) the case caption; (b) description of information filed on the CD (e.g., "Exhibits 13-40"); (c) the CD-ROM number, if more than one CD-ROM is required for a complete copy of the material to be filed; and (d) the date that the CD-ROM was prepared.

4) *Organization of Documents.* The documents contained on each CD-ROM must be organized into separately numbered exhibits (e.g., Ex. 1 might be the birth certificate; Ex. 2 the pediatric records; Ex. 3 a set of records of a particular hospitalization, etc.). Exhibits should be numbered in logical order (preferably chronologically). ***Each exhibit of more than one page must be paginated.*** Pagination of each exhibit may be independent (e.g., Ex. 1 has pages 1 through 10, then Ex. 2 has pages 1 through 5, etc.), or may be consecutive (e.g., Ex. 1 has pages 1 through 10, then Ex. 2 has pages 11 through 15, etc.). For each CD-ROM, the petitioner shall prepare a Table of Contents listing and briefly identifying each exhibit. (The Table of Contents should, if possible, appear at the beginning of the CD-ROM itself, but in any event a paper copy of the Table of Contents is to be filed, as set forth at part B below.)

B. Filing of Documents on CD-ROM. All filings on CD-ROM shall be filed with the Clerk, at the address contained at Vaccine Rule 2(a). Each filing on CD-ROM must be submitted to the Clerk's office along with a "Notice of Filing CD-ROM(s)" (see attached sample), a Table of Contents, and a Certificate of Service. The Notice of Filing must contain the information listed above at A(3). Each CD-ROM that the petitioner files with the Clerk's office shall be sealed in a **separate, transparent, sturdy case that permits examination of the CD-ROM without removing it from its protective case and makes tamper evident.** The Clerk of the Court shall retain the CD-ROM labeled Original, and the CD-ROM labeled Copy shall be provided to the Office of Special Masters.

C. Service of Materials Filed on CD-ROM. If the petitioner elects to file exhibits on a CD-ROM, the petitioner must also serve an exact copy of the filed CD-ROM on the respondent and any other party who has appeared in the case. In addition to the requirement to serve a copy of the filed CD-ROM on all other parties, the petitioner shall serve on the respondent a paper copy of the documents contained on the CD-ROM.


George L. Hastings, Jr.
Special Master

SAMPLE "NOTICE OF FILING CD-ROM(S)"

JOE JONES, on behalf of his son *
James Jones, *

Petitioner, *

v. *

SECRETARY OF HEALTH AND *
HUMAN SERVICES, *

Respondent. *

No. 03-101V
Special Master Hastings

NOTICE OF FILING CD-ROMS

Enclosed herewith for filing in the above-captioned case are petitioner's CD-ROM 1 and CD-ROM 2. CD-ROM 1 contains petitioner's Exhibits 1 through 20. CD-ROM 2 contains Exhibits 21 through 30. Attached to this Notice is a Table of Contents for each CD-ROM. These CD-ROMs were prepared on or about December 20, 2003.

[Name of Counsel]
Counsel for petitioners

Date: _____