

ORIGINAL

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

(Filed: December 10, 2007)

FILED
DEC 10 2007
OSM
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 MODIFYING SCHEDULE
FOR PSC's "SECOND THEORY OF CAUSATION" CASES

The attached e-mail was sent to our offices by Thomas Powers, on behalf of the
Petitioner's Steering Committee, on December 7, 2007. This item is hereby made part of the
record of the Omnibus Autism Proceeding.\*

In addition, in light of the representations made in the e-mail from the PSC, we hereby
modify the schedule for the PSC's "second theory of causation" cases, as follows. The time for
designating the third test case, and filing a case-specific expert report in that case, is hereby
extended until December 13, 2007.

Denise K. Vowell
Special Master

Patricia Campbell-Smith
Special Master

George L. Hastings, Jr.
Special Master

\*Redactions have been made to preserve the privacy of individuals.



"Tom Powers"

<[REDACTED]>

12/07/2007 02:18 PM

To <[REDACTED]>

[REDACTED]

cc <[REDACTED]>

Subject: Petitioners' Expert Report: Extension Requested

Special Masters,

Dr. Mumper, petitioners' expert preparing the report on individual causation in the third test case for hearing in May 2008, informed me that she cannot complete the report for filing today because of unanticipated emergency care that she needed to provide to a number of patients this week. As you know, the November 19 deadline for filing all three reports was extended because respondent conceded "significant aggravation" in one test case and contested the timeliness of another test case. While petitioners have diligently worked to identify additional potential test cases for review by our experts, and have filed a report in the second test case, it has been very difficult to work additional case review into the very busy patient care schedules of our two doctor experts, as they both have active pediatric practices. Dr. Mumper has a test case "in hand," she is actively reviewing the medical records, and she has a report in progress. It simply will not be ready to file today, for the reasons described above.

Petitioners seek an extension until Thursday, December 13 to file this third report and the accompanying medical records. I called Mr. Matanoski and explained the circumstances and told him that I would contact the Special Masters to seek an extension. He had no objection.

I am available by telephone to discuss this if needed. On behalf of the PSC I apologize to the Special Masters for the need to seek this extension, and I am confident that this report will be complete and filed by the 13th, along with the medical records.

Thank you,  
Tom Powers

Thomas B. Powers