

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 99-526V

Filed: January 18, 2008

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LAURA CANNIZZARIO, \*

Petitioner, \*

v. \*

Petitioner has failed to file proof of more than six months of sequela from the vaccine injury since prior Order to Show Cause of April 9, 2007.

SECRETARY OF THE DEPARTMENT \*

OF HEALTH AND HUMAN SERVICES, \*

Respondent. \*

\*\*\*\*\*

### ORDER

Petitioner filed a petition on July 28, 1999 under the National Childhood Vaccine Injury Act, 42 U.S.C. §300aa-10 et seq., alleging that she suffered an adverse reaction after receiving hepatitis B vaccine. The medical records are consistent in relating that the onset of petitioner's symptoms of demyelinating disease was four days after vaccination. The undersigned held that hepatitis B vaccine could cause demyelinating disease in the Omnibus paradigm cases. In the instant case, the medical records note the doctors' impression that hepatitis B caused petitioner's myelitis. However, it is unclear to the undersigned how long petitioner's myelitis lasted. Her myelitis was followed by a large herniated disk for which she required surgery.

On April 9, 2007, the undersigned ordered petitioner to show that her myelitis lasted more than six months. To date, petitioner has not done so.

On January 18, 2008, a telephonic status conference was held. Petitioner's counsel informed the undersigned that he had provided the medical records to a neurologist who declined to serve as petitioner's expert in this case.

By Tuesday, February 19, 2008, petitioner is **ORDERED** to file proof that her myelitis lasted more than six months. If petitioner does not do so, the undersigned will have no choice but to dismiss this case.

**IT IS SO ORDERED.**

January 18, 2008  
DATE

s/ Laura D. Millman  
Laura D. Millman  
Special Master