

CASE NAME	CFC #	SPECIAL MASTER	CFC JUDGE	FED. CIRC. #	CITATION	ISSUE	RESULT	SUMMARY OF APPEAL	FED. CIRC. JUDGES	DATE OF DECISION	APPELLANT	P/U
Benenati	90-1966	Golkiewicz	Wiese	96-5015	1996 WL 267278	Significant aggravation, actual causation, standard of review	Affirmed	Whether the special master was arbitrary and capricious in finding that petitioner failed to establish a vaccine-related injury. Petitioner also raises a peripheral issue concerning the filing of new evidence for consideration by the Court of Appeals.	Plager, Lourie, and Bryson (per curiam)	May 17, 1996	petitioner	U
Gardner-Cook	99-480		Horn	04-5001	2004 WL 1153657	actual causation	Affirmed	To prove causation in fact, petitioners employing the "off-Table" theory of recovery, must show a medical theory causally connecting the vaccination and the injury.	Lourie, Linn and Prost (per curiam)	May 11, 2004	petitioner	U
Golub	90-3437	Wright	Andewelt	99-5161	2000 WL 1471643	Daubert issues	vacated and remanded	The special master abused her discretion in rejecting petitioners' expert theory of causation. The special master unreasonably dismissed crucial evidence, failed to properly apply <u>Daubert</u> to the evidence, and defeated the intent of Congress by applying a higher burden of proof than specified in case law interpreting the Vaccine Act. ⁱ	Clevenger, Gajarsa, and Linn (per curiam)	October 3, 2000	petitioner	U
Grant	88-70	Golkiewicz	Tidwell	91-5035	956 F.2d 1144	Actual causation	Affirmed	A proximate temporal association alone does not suffice to show actual causation. Petitioner showed a medical theory causally connecting the vaccination and the injury.	Lourie, Skelton and Rader (per curiam)	February 25, 1992	respondent	P
Guillory	99-651	Edwards	Hewitt	04-5024	2004 WL 1378624	actual causation	Affirmed	Special Master applied the appropriate evidentiary standard for causation and did not err in not applying the <u>Stevens</u> standard.	Mayer, Michel and Plager (per curiam)	June 14, 2004	petitioner	U
Hellebrand-Szataba	91-572	Hastings	Hodges	96-5104	1997 WL 13125	Table; Actual causation	Affirmed	1) Death within 24 hours of vaccination does not prove table injury or actual causation; (2) burden does not shift to respondent to prove factor unrelated if petitioner does not prove prima facie case; (3) petitioner waived encephalopathy claim by not raising it before SM. (No written decision)	Plager, Clevenger and Bryson (per curiam)	January 13, 1997	petitioner	U
Hines	89-90	Baird	Lydon	91-5027	940 F.2d 1518	Standard of review; Actual causation	Affirmed	In an off-Table case where the injury or death in question is idiopathic, and no cause can be determined, the claim must fail.	MICHEL, Lourie and Skelton	July 31, 1991	petitioner	P
Housand	94-441	French	Hodges	97-5008	1997 WL 268983	Actual causation	Affirmed	Affirmed per curiam the dismissal of the case. The special master previously held that petitioner had failed to prove his GBS was actually caused by a tetanus vaccination. (No written decision)	Rich, Smith and Bryson (per curiam)	May 9, 1997	petitioner	U
Johnson, Patricia Lynn	92-478	Hastings	Gibson	95-5152	1996 WL 625473	Actual causation	Affirmed	Whether the special master was arbitrary and capricious in finding petitioner had failed to prove her fibromyalgia was vaccine-related.	Archer, Mayer and Lourie (per curiam)	October 30, 1996	petitioner	U
Johnson, (Joan on behalf of Tiffany)	90-645	Hastings	Merow	91-5137	1992 WL 102632	Table; Actual causation; Standard of review	Affirmed	Special master ruled that medical records contradicted petitioner's Table claim and that actual causation claim was based on testimony of petitioner and her attorney. CFC upheld this finding and Fed. Circ. affirmed.	Rich, Skelton and Michel (per curiam)	May 15, 1992	petitioner	U

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Jones	92-529	Millman	Weinstein	95-5130	1996 WL 134900	Table; Actual causation	Affirmed	A fact-based appeal on whether the Court of Federal Claims erred as a matter of law in affirming the special master's dismissal of petitioner's Vaccine Act claim.	CLEVENGER, Archer, and Cowen	March 26, 1996	petitioner	U
McCummings	90-903	Golkiewicz	Robinson	93-5081	1993 WL 481145	Actual causation	Affirmed	Whether the special master erred in finding that petitioner had not proved that transverse myelitis was in fact caused by a DPT vaccination.	LAY, Rich, and Archer	November 23, 1993	petitioner	U
Shyface	95-272	French	Miller	98-5078	1999 WL 11564	Factor unrelated; Actual causation	Reversed	In an actual causation case, the panel held that petitioner must prove that the immunization was a "substantial factor" that caused the claimed injury.	NEWMAN, Mayer, and Clevenger	January 14, 1999	petitioner	P
Sharpnack	90-983	French	Harkins	93-5104	1994 WL 4709	Actual causation	Affirmed	Whether the special master wrongly determined an injury occurring 7 days after a DPT vaccination was actually caused by the vaccination, relying upon the NCES.	RICH, Archer and Mayer	January 7, 1994	respondent	U
Strother	88-32	Baird	Rader	91-5030	1991 WL 237640	Actual causation	Affirmed	Was an "impossible burden of proof" placed upon petitioners by requiring them to present a technically supportable, logical sequence of cause and effect showing that the MMR actually caused their son's injuries.	Rich, Skelton and Mayer (per curiam)	November 15, 1991	petitioner	U