



**Consistent with the terms stated in the attached Proffer, I hereby award the following in compensation for all damages that would be available under 42 U.S.C. § 300aa-15(a):**

- 1) A lump sum payment of \$55,000.00, representing compensation for pain and suffering, in the form of a check payable to petitioner, Robert Galante.**

The Clerk of the Court is directed to **ENTER JUDGMENT** in accordance with this decision.<sup>3</sup>

**IT IS SO ORDERED.**

**s/Thomas L. Gowen**  
Thomas L. Gowen  
Special Master

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<sup>3</sup> Entry of judgment is expedited by each party's filing notice renouncing the right to seek review. Vaccine Rule 11(a).

**THE UNITED STATES COURT OF FEDERAL CLAIMS  
OFFICE OF SPECIAL MASTERS**

ROBERT GALANTE,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

No. 18-1933V

Special Master Thomas L. Gowen  
ECF

**RESPONDENT’S PROFFER ON AWARD OF COMPENSATION**

On December 18, 2018, Robert Galante (“petitioner”) filed a petition for compensation under the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 to -34 (“Vaccine Act” or “Act”), alleging that he suffered “left shoulder injuries related to vaccine administration.” *See* Petition at 1. In a November 9, 2022 Ruling on Entitlement, the Special Master found petitioner entitled to compensation.<sup>1</sup>

Respondent now proffers that petitioner be awarded a lump sum payment of **\$55,000.00**, in the form of a check payable to petitioner, representing all elements of compensation to which petitioner is entitled under 42 U.S.C. § 300aa-15(a). Petitioner agrees. Petitioner is a competent adult. Evidence of guardianship is not required in this case.<sup>2</sup>

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<sup>1</sup> Respondent has no objection to the amount of the proffered award of damages set forth herein. Assuming the Special Master issues a damages decision in conformity with this proffer, respondent waives his right to seek review of such damages decision. However, respondent reserves his right, pursuant to 42 U.S.C. § 300aa-12(e), to seek review of the Special Master’s November 9, 2022 Ruling on Entitlement.

<sup>2</sup> Should petitioner die prior to entry of judgment, the parties reserve the right to move the Court for appropriate relief. In particular, respondent would oppose any award for future damages.

Respectfully submitted,

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