In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 22-855V

NANCY HUGHES,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: June 23, 2026

Catherine Wallace Costigan, Maglio Christopher & Toale, PA, Washington, DC, for Petitioner.

Michael Bliley, U.S. Department of Justice, Washington, DC, for Respondent.

DECISION AWARDING DAMAGES[1]

On August 4, 2022, Nancy Hughes filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*[2] (the "Vaccine Act"). Petitioner alleges that she suffered a shoulder injury related to vaccine administration ("SIRVA") following an influenza vaccine administered on September 9, 2020. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On October 23, 2025, a ruling on entitlement was issued, finding Petitioner entitled to compensation for a SIRVA. On June 11, 2026, Respondent filed a proffer on award of compensation ("Proffer") indicating Petitioner should be awarded $66,347.77 (consisting of $65,000.00 for pain and suffering and $1,347.77 for past unreimbursable expenses). Proffer at 1-2. In the Proffer, Respondent represented that Petitioner agrees with the

[1] Because this Decision contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims' website, and/or at https://www.govinfo.gov/app/collection/uscourts/national/cofc, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (Federal Management and Promotion of Electronic Government Services). **This means the Decision will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

[2] National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2018).

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proffered award. *Id.* Based on the record as a whole, I find that Petitioner is entitled to an award as stated in the Proffer.

Pursuant to the terms stated in the attached Proffer, **I award Petitioner a lump sum payment of $66,347.77 (consisting of $65,000.00 for pain and suffering and $1,347.77 for past unreimbursable expenses), to be paid through an ACH deposit to Petitioner's counsel's IOLTA account for prompt disbursement to Petitioner.** This amount represents compensation for all damages that would be available under Section 15(a).

The Clerk of Court is directed to enter judgment in accordance with this decision.[3]

IT IS SO ORDERED.

s/Brian H. Corcoran
Brian H. Corcoran
Chief Special Master

[3] Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.

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

NANCY HUGHES, Petitioner, v. SECRETARY OF HEALTH AND HUMAN SERVICES, Respondent.	No. 22-855V Chief Special Master Corcoran ECF

RESPONDENT'S PROFFER ON AWARD OF COMPENSATION

On August 4, 2022, Nancy Hughes ("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 she suffered a Shoulder Injury Related to Vaccine Administration ("SIRVA"), as defined in the Vaccine Injury Table, following administration of an influenza vaccine she received on September 9, 2020. Petition at 1.

On October 23, 2025, the Chief Special Master issued a Ruling on Entitlement finding petitioner entitled to compensation. [1] ECF No. 46.

I. Items of Compensation

A. Pain and Suffering

Respondent proffers that petitioner should be awarded $65,000.00 in pain and suffering. *See* 42 U.S.C. § 300aa-15(a)(4). Petitioner agrees.

[1] The parties have no objection to the amount of the proffered award of damages. However, respondent reserves his right, pursuant to 42 U.S.C. § 300aa-12(e), to seek review of the Special Master's October 23, 2025 Ruling on Entitlement, finding petitioner entitled to an award under the Vaccine Act. This right accrues following the issuance of the Damages Decision.

B. Past Unreimbursable Expenses

Evidence supplied by petitioner documents that she incurred past unreimbursable expenses related to her vaccine-related injury. Respondent proffers that petitioner should be awarded past unreimbursable expenses in the amount of $1,347.77. *See* 42 U.S.C. § 300aa-15(a)(1)(B). Petitioner agrees.

These amounts represent all elements of compensation to which petitioner is entitled under 42 U.S.C. § 300aa-15(a). Petitioner agrees.

II. Form of the Award

Petitioner is a competent adult. Evidence of guardianship is not required in this case. Respondent recommends that the compensation provided to petitioner should be made through a lump sum payment of **$66,347.77** to be paid through an ACH deposit to petitioner's counsel's IOLTA account for prompt disbursement to petitioner.[2] Petitioner is a competent adult. Proof of guardianship is not required in this case.

Respectfully submitted,

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JONATHAN D. GUYNN
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[2] 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 lost earnings and future pain and suffering.

/s/ *Michael S. Bliley*
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Date: June 11, 2026

CERTIFICATE OF SERVICE

Pursuant to the Rules of the United States Court of Federal Claims, I certify that on this 11th day of June, 2026, a true and correct copy of the foregoing pleading was sent to petitioner's counsel via email at jvuckovich@mctlaw.com.

/s/ Michael S. Bliley
MICHAEL S. BLILEY