

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 23-1102V

ALIVIA ZHANG,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: January 28, 2026

David A. Kleczek, Kleczek Law Office, Oakland, CA, for Petitioner.

Lynn Christina Schlie, U.S. Department of Justice, Washington, DC, for Respondent.

DECISION ON DAMAGES¹

On July 18, 2023, Alivia Zhang filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*¹ (the “Vaccine Act”). Petitioner alleges that she suffered a syncopal episode upon receiving a meningococcal vaccine on August 16, 2022. Petition at 1 – 2. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On September 23, 2024, a Ruling on Entitlement was issued, finding Petitioner entitled to compensation. On January 28, 2026, Respondent filed a Proffer on an award of compensation (“Proffer”). Respondent represented that Petitioner agrees with the proffered award. *Id.* at 1-2. Based on the record as a whole, I find that Petitioner is entitled to an award as stated in the Proffer.

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.

Pursuant to the terms stated in the attached proffer, **Petitioner is awarded a lump sum of \$250,000.00 (for pain and suffering) to be paid through an ACH deposit to Petitioner's counsel's IOLTA account for prompt disbursement to Petitioner.** Proffer at 2. This amount represents compensation for all damages that would be available under Section 15(a). *Id.* at 2.

The Clerk of Court is directed to enter judgment in accordance with this decision.²

IT IS SO ORDERED.

s/Brian H. Corcoran

Brian H. Corcoran

Chief Special Master

² 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**

ALIVIA ZHANG,)	
)	
Petitioner,)	
)	
v.)	No. 23-1102V
)	Chief Special Master Corcoran
)	ECF
SECRETARY OF HEALTH AND HUMAN)	
SERVICES,)	
)	
Respondent.)	

PROFFER ON AWARD OF COMPENSATION

On July 18, 2023, Alivia Zhang (“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”), as amended, alleging that she suffered a syncopal episode upon receiving a meningococcal vaccine on August 16, 2022. *See* Petition at 1-2; ECF No. 1; Amended Petition at 1; ECF No. 10. On September 18, 2024, the Secretary of Health and Human Services (“respondent”) filed his Rule 4(c) Report indicating that this case is appropriate for compensation under the terms of the Act. ECF No. 23. On September 23, 2024, the Chief Special Master issued a Ruling on Entitlement finding that petitioner is entitled to vaccine compensation. ECF No. 24.

I. Items of Compensation

Respondent proffers that petitioner should be awarded \$250,000.00 in pain and suffering, which represents all elements of compensation to which petitioner would be 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 \$250,000.00, to be paid through an ACH deposit to petitioner's counsel's IOLTA account for prompt disbursement to petitioner. Petitioner agrees.

Respectfully submitted,

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