

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 24-1674V

SANDRA JOHNSON,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: April 21, 2026

Maximillian J. Muller, Muller Brazil, LLP, Dresher, PA, for Petitioner.

Sarah Black Rifkin, U.S. Department of Justice, Washington, DC, for Respondent.

DECISION AWARDING DAMAGES¹

On October 17, 2024, Sandra Johnson 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 that she suffered a shoulder injury related to vaccine administration (“SIRVA”) caused by an influenza vaccine received on October 12, 2023. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On March 5, 2026, a ruling on entitlement was issued, finding Petitioner entitled to compensation for SIRVA. On April 20, 2026, Respondent filed a proffer on award of compensation (“Proffer”) indicating Petitioner should be awarded \$58,344.05. Proffer at 2. In the Proffer, Respondent represented that Petitioner agrees with the proffered award. *Id.* 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.

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).

Pursuant to the terms stated in the attached Proffer, **I award Petitioner a lump sum payment of \$58,344.05 (comprised of \$55,000.00 in pain and suffering and \$3,344.05 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**

SANDRA JOHNSON,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

No. 24-1674 (ECF)
Chief Special Master Corcoran

RESPONDENT’S PROFFER ON AWARD OF COMPENSATION

On October 17, 2024, Sandra Johnson (“petitioner”) filed a petition for compensation (“Petition”), 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 left-sided shoulder injury related to vaccine administration (“SIRVA”), resulting from an influenza (“flu”) vaccination administered on October 12, 2023. Petition at 1.

On May 5, 2025, respondent filed his initial Rule 4(c) Report, recommending that compensation be denied. ECF No. 13. On January 5, 2026, the Court issued Findings of Fact, concluding that petitioner had met her burden in establishing left-sided vaccine administration, as alleged. ECF No. 19. In light of these Findings, respondent filed an Amended Rule 4(c) Report on March 4, 2026, indicating that he did not dispute that petitioner had satisfied all legal prerequisites for compensation under the Act. ECF No. 23. Thereafter, on March 5, 2026, the

Court issued its Ruling on Entitlement, finding petitioner entitled to compensation.¹ ECF No. 24.

PROFFER

I. Items of Compensation

A. Pain and Suffering

Respondent proffers that petitioner should be awarded \$55,000.00 in pain and suffering damages. *See* 42 U.S.C. § 300aa-15(a)(4). Petitioner agrees.

B. Past Unreimbursable Expenses

Respondent proffers that petitioner should be awarded past unreimbursable expenses in the amount of \$3,344.05. 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 \$58,344.05, in the form of an ACH deposit to petitioner's counsel's IOLTA account for prompt disbursement to petitioner, Sandra Johnson.

¹ Respondent has no objection to the amount of the proffered award of damages set forth herein. Assuming the Court 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 March 5, 2026 entitlement decision.

Respectfully submitted,

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s/Sarah B. Rifkin
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DATE: April 20, 2026

CERTIFICATE OF SERVICE

I certify that today, March 20, 2026, a copy of the foregoing pleading was served by electronic mail to Maximillian Muller at max@mullerbrazil.com.

s/ Sarah Black Rifkin