In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 25-0012V

GINGER TERRILL, personal representative of the ESTATE OF CAROL TERRILL,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: March 13, 2026

Bridget Candace McCullough, Muller Brazil, LLP, Dresher, PA, for Petitioner.

Tyler King, U.S. Department of Justice, Washington, DC, for Respondent.

DECISION AWARDING DAMAGES[1]

On January 8, 2025, Ginger Terrill ("Petitioner") as personal representative of the state of Carol Terrill, 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 the deceased, Carol Terrill ("Ms. Terrill"), suffered a shoulder injury related to vaccine administration ("SIRVA), as the result of an influenza ("flu") vaccination Ms. Terrill received on or about October 20, 2022. 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. On March 12, 2026, Respondent filed a proffer on award of compensation ("Proffer") indicating Petitioner should be awarded a total of $110,000.00 for Ms. Terrill's pain and suffering. Proffer at 2. In the Proffer, Respondent represented

[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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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.

Pursuant to the terms stated in the attached Proffer, **I award Petitioner a lump sum payment of $110,000.00, to be paid through an ACH deposit to Petitioner's counsel's IOLTA account for prompt disbursement to Petitioner, Ginger Terrill, as personal representative of the estate of Carol Terrill.** 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

GINGER TERRILL, personal representative of the estate of CAROL TERRILL, Petitioner, v. SECRETARY OF HEALTH AND HUMAN SERVICES, Respondent.	No. 25-12V Chief Special Master Brian H. Corcoran ECF

PROFFER ON AWARD OF COMPENSATION[1]

On January 8, 2025, Ginger Terrill ("petitioner"), as personal representative of the estate of Carol Terrill,[2] filed a petition for compensation ("Petition") under the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 to 34, as amended ("Vaccine Act" or "Act"). Petitioner alleges that the deceased, Carol Terrill, suffered a shoulder injury related to vaccine administration ("SIRVA"), as defined in the Vaccine Injury Table, 42 C.F.R. § 100.3, as the result of an influenza ("flu") vaccination Ms. Terrill received on or about October 20, 2022. Petition at 1. On October 22, 2025, respondent filed a Rule 4(c) Report, concluding that this case is appropriate for compensation under the terms of the Act for a SIRVA Table injury. *See* ECF No. 25. On October 23, 2025, Chief Special Master Corcoran issued a ruling on

[1] This Proffer does not include attorneys' fees and costs, which the parties intend to address after the Damages Decision is issued.

[2] Petitioner filed documentation on September 12, 2025, establishing that on June 24, 2025, she was appointed personal representative of Carol Terrill's estate under the laws of the State of Oklahoma. *See* Exhibit 11. All references to petitioner herein refer solely to Ginger Terrill in her representative capacity as the personal representative of the estate of Carol Terrill.

entitlement, finding petitioner entitled to compensation for a SIRVA Table injury. *See* ECF No. 26.

I. Items of Compensation

Respondent proffers that petitioner should be awarded **$110,000.00** for Carol Terrill's pain and suffering. This amount represents all elements of compensation to which petitioner is entitled under 42 U.S.C. § 300aa-15(a). Petitioner agrees.

II. Form of the Award

The parties recommend that compensation provided to petitioner should be made through a lump sum payment, as described below, and request that the Chief Special Master's decision and the Court's judgment award the following:

> A lump sum payment of **$110,000.00** to be paid through an ACH deposit to petitioner's counsel's IOLTA account for prompt disbursement to petitioner, Ginger Terrill, as personal representative of the estate of Carol Terrill.[3]

Respectfully submitted,

BRETT A. SHUMATE
Assistant Attorney General

JONATHAN D. GUYNN
Acting Director
Torts Branch, Civil Division

HEATHER L. PEARLMAN
Deputy Director
Torts Branch, Civil Division

[3] If for some reason petitioner is not authorized by a court of competent jurisdiction to serve as the personal representative of the estate of Carol Terrill at the time a payment pursuant to this proffer is to be made, then any such payment shall be paid to the party or parties appointed by a court of competent jurisdiction to serve as personal representative of the estate of Carol Terrill upon submission of written documentation of such appointment to the Secretary.

TRACI R. PATTON
Assistant Director
Torts Branch, Civil Division

/s/ *Tyler C. King*
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Dated: March 12, 2026

CERTIFICATE OF SERVICE

I certify that today, March 12, 2026, a copy of the foregoing pleading was served by electronic mail to Bridget McCullough at bridget@mullerbrazil.com.

s/ Tyler King