

in support of their Petition, by December 2, 2013. (ECF No. 48.) Petitioners then filed a series of requests for additional time. These requests were granted, and a new deadline for Petitioners' expert report was assigned on each occasion. (*See* Orders, ECF Nos. 57, 59, 61, 63.)

On June 18, 2014, Petitioners filed a Motion requesting an unlimited suspension of proceedings. (ECF No. 64.) Respondent objected. (ECF No. 65.) A status conference was convened to discuss this matter, which resulted in an Order allowing only a temporary suspension and directing Petitioners to file their expert report by October 23, 2014. (ECF No. 66.) Petitioners did not file an expert report on that date, nor did they request additional time to do so. Therefore, I filed a second Order to Show Cause why the case should not be dismissed, for failure to follow a court order. (Order, filed 11/12/14, ECF No. 67.) In response, Petitioners filed a status report indicating that RCB's medical history was currently being evaluated by two potential experts who might be willing to opine in support of their Petition. (ECF No. 68.)

On January 15, 2015, Petitioners again requested an unlimited suspension of proceedings, because they had been unable to obtain the medical tests that their experts had requested. (Status Report, ECF No. 70.) I denied Petitioners' request for an indefinite suspension, but assigned a new deadline for Petitioners' expert report, on April 16, 2015. (Order, filed 1/16/15, ECF No. 71.) On April 16, 2015, Petitioners filed yet another Motion for an enlargement of time. (Motion, ECF No. 72.) I granted that Motion, allowing Petitioners until July 15, 2015, to file their expert report. (Order, ECF No. 73.)

Petitioners did not file a timely expert report, nor did they request more time to do so. On July 17, 2015, I issued a third Show Cause Order. (ECF No. 74.) Petitioners were advised that failure to follow court orders would result in dismissal of Petitioners' claim. *Tsekouras v. Sec'y, HHS*, 26 Cl. Ct. 439 (1992), *aff'd per curiam*, 991 F.2d 810 (Fed. Cir. 1993); *Sapharas v. Sec'y, HHS*, 35 Fed. Cl. 503 (1996); Vaccine Rule 21(b). (*Id.*)

Instead of filing an appropriate response, Petitioners submitted a Status Report on August 15, 2015, indicating that they were still seeking additional medical testing for RCB, and further consultations with potential experts. (ECF No. 75.) On August 5, 2015, I filed an Order directing Petitioners to provide a written statement by their expert explaining the relevance of such testing. (ECF No. 76.) I allowed Petitioners until September 3, 2015, to file that statement and to provide "some kind of plausible reason to expect that a *viable* expert opinion concerning causation might be obtained," if more time were allowed. (*Id.*) Petitioners have not filed a statement from their medical expert, nor any other response to my Order.

Accordingly, **this case is dismissed for failure to prosecute and failure to follow court orders. The clerk shall enter judgment accordingly.**

IT IS SO ORDERED.

/s/ George L. Hastings, Jr.
George L. Hastings, Jr.
Special Master