

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 12-570V

Filed: November 14, 2014

Not for Publication

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BARBARA KEIL, as Personal \*  
Representative of the Estate of \*  
MARK DENEEN, Decedent, \*

Petitioner, \*

Voluntary dismissal under  
Vaccine Rule 21(a)

v. \*

SECRETARY OF HEALTH \*  
AND HUMAN SERVICES, \*

Respondent. \*

\*\*\*\*\*

Isaiah R. Kalinowski, Washington, DC, for petitioner.  
Justine E. Daigneault, Washington, DC, for respondent.

**MILLMAN, Special Master**

### **ORDER CONCLUDING PROCEEDINGS<sup>1</sup>**

On September 5, 2012, Mark Deneen filed a petition under the National Childhood Vaccine Injury Act, 42 U.S.C. §§ 300aa-10–34 (2006), alleging that he suffered Guillain-Barré Syndrome (“GBS”) as a result of the trivalent influenza (“flu”) vaccination he received on September 15, 2009.

Mark Deneen died on August 3, 2013, and Barbara Keil, the personal representative of his estate, was substituted as petitioner on July 23, 2014.

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<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the special master’s action in this case, the special master intends to post this unpublished decision on the United States Court of Federal Claims’s website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). Vaccine Rule 18(b) states that all decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would constitute a clearly unwarranted invasion of privacy. When such a decision is filed, petitioner has 14 days to identify and move to delete such information prior to the document’s disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall delete such material from public access.

On November 14, 2014, the parties filed a Joint Stipulation of Dismissal, stating the parties give notice of petitioner's voluntary dismissal pursuant to Vaccine Rule 21(a).

Accordingly, pursuant to Vaccine Rule 21 (a), the above-captioned case is hereby **dismissed**. The Clerk of the Court is hereby instructed that a **judgment shall not enter** in the instant case pursuant to Vaccine Rule 21(a).

### CONCLUSION

Proceedings are concluded in this case.

**IT IS SO ORDERED.**

Dated: November 14, 2014

s/ Laura D. Millman  
Laura D. Millman  
Special Master