

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS

STEPHEN STOLEC,	*	
	*	No. 19-195V
Petitioner,	*	Special Master Christian J. Moran
	*	
v.	*	Filed: June 28, 2022
	*	
SECRETARY OF HEALTH	*	Joint stipulation of dismissal; order
AND HUMAN SERVICES,	*	concluding proceedings.
	*	
Respondent.	*	

Anne C. Toale, Maglio, Christopher, & Toale, Sarasota, FL, for petitioner;
Mitchell Jones, U.S. Dep’t of Justice, Washington, DC, for respondent.

ORDER CONCLUDING PROCEEDINGS

On February 1, 2019, petitioner filed a petition under the National Childhood Vaccine Injury Act, 42 U.S.C. §§ 300aa-1 to -34, as amended. Petitioner filed an amended petition on January 20, 2020, alleging that that the pneumococcal conjugate and influenza vaccinations he received on October 20, 2017, caused him to suffer a right shoulder injury related to vaccine administration and polymyalgia rheumatica. Amend. Pet., filed Jan. 20, 2020.

On June 28, 2022, the parties filed a joint stipulation of dismissal stating, “The parties hereby stipulate that this action shall be dismissed with prejudice.” J. Stip. ¶ 2.

Vaccine Rule 21(a)(1) allows petitioners to engage in a voluntary dismissal by filing a stipulation of dismissal that all parties have signed, which the parties here have done.

Under Vaccine Rule 21(a)(3), the result of this voluntary dismissal is an Order Concluding Proceedings. No judgment will enter pursuant to Vaccine Rule 11 for purposes of 42 U.S.C. § 300aa-21(a).

Thus, this case is DISMISSED. The Clerk is directed to remove this case from the docket of the undersigned.

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master