

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 19-542V

Filed: June 2, 2021

UNPUBLISHED

MIRA EPSHTEYN,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Special Master Horner

Order Concluding Proceedings;
Vaccine Rule 21(a)

Martin Jeffrey Rubenstein, Law Offices of Martin Rubenstein, Staten Island, NY, for petitioner.

Julia Marter Collison, U.S. Department of Justice, Washington, DC, for respondent.

ORDER CONCLUDING PROCEEDINGS¹

On April 12, 2019, petitioner filed a petition alleging that she suffered adverse reactions including joint pain, stomach problems, dermatitis, and rashes resulting from her April 18, 2016 Measles, Mumps, and Rubella (“MMR”) vaccination. (ECF No. 1.) On January 29, 2021, respondent filed a Rule 4(c) report recommending against compensation and a motion to dismiss petitioner’s claim. (ECF Nos. 31, 32.)

On March 29, 2021, I issued an order deferring a ruling on respondent’s motion pending an opportunity for petitioner to complete additional filings including an affidavit, additional medical records, and an expert report. (ECF No. 36.) However, on June 2, 2021, petitioner filed a stipulation of dismissal pursuant to Vaccine Rule 21(a). (ECF No. 37.)

¹ Because this decision contains a reasoned explanation for the special master’s action in this case, it will be posted on the United States Court of Federal Claims’ website in accordance with the E-Government Act of 2002. See 44 U.S.C. § 3501 note (2012) (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 the special master, upon review, agrees that the identified material fits within this definition, it will be redacted from public access.

Accordingly, pursuant to Vaccine Rule 21(a), this case is hereby **dismissed without prejudice**. The Clerk of the Court is hereby instructed that a **judgment shall not enter** in the instant case pursuant to Vaccine Rule 21(a).

IT IS SO ORDERED.

s/Daniel T. Horner

Daniel T. Horner
Special Master