

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: September 17, 2024

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DANIELLE BAILEY, as natural guardian *
and legal representative of her minor *
daughter, C.B., *

Petitioner, *

No. 23-2140V

v. *

Special Master Dorsey

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

Respondent. *

Order Concluding Proceedings; Withdrawal
of Petition.

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ORDER CONCLUDING PROCEEDINGS¹

On December 18, 2023, Danielle Bailey (“Petitioner”), on behalf of her minor daughter, C.B., filed a petition for compensation under the National Vaccine Injury Compensation Program (“Vaccine Act” or “the Program”), 42 U.S.C. § 300aa-10 et seq. (2012).² Petitioner alleged that C.B. developed a localized scleroderma as a result of the human papillomavirus 9-valent (“HPV”) vaccination on January 25, 2021. Petition at Preamble (ECF No. 1).

Because a decision had not been issued within the statutory 240-day period, a notice was

¹ The undersigned intends to post this Order on the United States Court of Federal Claims’ website. **This means the Order 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, the undersigned agrees that the identified material fits within this definition, the undersigned will redact such material from public access. Because this Order contains a reasoned explanation for the action in this case, undersigned is required to post it on the United States Court of Federal Claims’ website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services).

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-10 to -34 (2012). All citations in this Order to individual sections of the Vaccine Act are to 42 U.S.C. § 300aa.

issued advising “that the petitioner may withdraw the petition under section 300aa-21(b) of this title or the petitioner may choose under section 300aa-21(b) of this title to have the petition remain before the special master.” Formal Notice dated Aug. 15, 2024 (ECF No. 20) (quoting 42 U.S.C. § 300aa-12(g)). On September 12, 2024, Petitioner timely filed a notice of intent to withdraw the petition pursuant to 42 U.S.C. § 300aa-21(b).

In light of Petitioner’s election to withdraw the petition pursuant to 42 U.S.C. § 300aa-21(b) (promulgated as Vaccine Rule 10(d)), Petitioner’s request to withdraw the petition is **GRANTED. Accordingly, this Order hereby notifies the Clerk of Court that proceedings on the merits of this petition are now concluded, but no judgment on the merits should be entered by the Clerk’s Office.**

IT IS SO ORDERED.

s/Nora Beth Dorsey
Nora Beth Dorsey
Special Master