

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**MICHAEL MAGER, As parent of Victoria Mager,**  
*Petitioner-Appellee*

v.

**SECRETARY OF HEALTH AND HUMAN  
SERVICES,**  
*Respondent-Appellant*

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2023-2382

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Appeal from the United States Court of Federal Claims  
in No. 1:14-vv-00820-RTH, Judge Ryan T. Holte.

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**ON MOTION**

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**O R D E R**

Upon consideration of appellant's motion to voluntarily dismiss this appeal pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure and the parties' joint response to the court's October 16, 2023, order,

IT IS ORDERED THAT:

- (1) The motion is granted. The appeal is dismissed.
- (2) Each side shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

November 7, 2023  
Date

ISSUED AS A MANDATE: November 7, 2023