

**IN THE UNITED STATES COURT OF APPEALS  
FOR VETERANS CLAIMS**

<b>CLARENCE F. FOSTER,</b>	)	
	)	
Petitioner,	)	
	)	
v.	)	Vet. App. No. 16-3440
	)	
<b>ROBERT A. MCDONALD,</b>	)	
Secretary of Veterans Affairs,	)	
	)	
Respondent.	)	

**RESPONDENT’S UNOPPOSED MOTION TO STAY PROCEEDINGS**

Pursuant to U.S. Vet. App. Rules 5 and 27, Respondent respectfully moves the Court to issue an order staying further proceedings in the above-captioned case.

On October 12, 2016, Petitioner, Clarence F. Foster, through counsel, filed a petition for extraordinary relief in the form of a writ of mandamus (“petition”). On October 26, 2016, the Court ordered the Secretary to file a response to the petition. On November 15, 2016, Petitioner submitted an Unopposed Motion to Dismiss the case as the issues raised in the petition are moot.

In the interest of judicial efficiency, a stay of proceedings is necessary because Petitioner filed a motion to dismiss the case. In the event that the Court grants Petitioner’s dispositive motion, there will be no further proceedings before this Court.

Petitioner does not oppose this motion.

**WHEREFORE**, Respondent respectfully moves the Court to grant a stay of proceedings in the instant appeal pending the disposition of the motion to dismiss.

Respectfully submitted,

**FOR RESPONDENT:**

**LEIGH A. BRADLEY**  
General Counsel

**MARY A. FLYNN**  
Chief Counsel

James B. Cowden  
**JAMES B. COWDEN**  
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/s/ Kristen D. King-Holland

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