

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 18-6976

DOROTHY C. FOGG,

APPELLANT,

v.

ROBERT L. WILKIE,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before GREENBERG, *Judge*.

ORDER

*Note: Pursuant to U.S. Vet. App. R. 30(a),
this action may not be cited as precedent.*

On September 9, 2019, the Secretary filed an opposed motion to strike references to facts not contained in the Record Before the Agency and requests for judicial notice from appellant's brief. On October 23, 2019, the appellant, through counsel, filed a response opposing the Secretary's motion to strike. On October 28, 2019, the Secretary filed his brief. On December 20, 2019, the appellant filed a reply brief. On January 2, 2020, in accordance with the Court's Rules of Practice and Procedure, the Secretary filed the Record of Proceedings (ROP).

As briefing in this appeal is completed, and the ROP has been filed, the Court will hold the Secretary's motion to strike in abeyance pending consideration of this matter on the merits. Upon consideration of the foregoing, it is

ORDERED that the Secretary's motion to strike shall be held in abeyance pending consideration of this matter on the merits.

DATED: February 28, 2020

BY THE COURT:



WILLIAM S. GREENBERG
Judge

Copies to:

Matthew Q. Verdin, Esq.

VA General Counsel (027)