

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

FLORENCE PETITE,)	
)	
Appellant,)	
)	
v.)	Vet. App. No. 19-5815
)	
DENIS MCDONOUGH,)	
Secretary of Veterans Affairs,)	
)	
Appellee.)	

**UNOPPOSED MOTION FOR A 45-DAY EXTENSION OF TIME,
FROM MAY 9, 2022, UNTIL JUNE 23, 2022,
TO FILE APPELLEE’S RESPONSE UNDER VET. APP. R. 39(a)(1) TO
APPELLANT’S APPLICATION FOR ATTORNEY FEES AND EXPENSES**

Pursuant to VET. APP. R. 26(b), 27, and 45(g)(4), Appellee, Secretary of Veterans Affairs, respectfully moves the Court for a 45-day extension of time within which to file a response under VET. APP. R. 39(a)(1) to Appellant’s application for attorney fees and expenses pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). If not for this motion, Appellee’s EAJA response would be due February 22, 2022.

The Secretary seeks a 45-day extension until June 23, 2022. Counsel for Appellee states the following as cause for this motion: Since Appellant’s EAJA Application was filed, counsel has filed numerous pleadings and participated in multiple pre-briefing conferences with the Court’s Central Legal Staff (CLS). Counsel has also been focused on meeting the filing dates in a number of other

matters. As a result, counsel has not yet had the opportunity to extensively review and properly respond to Appellant's EAJA Application.

Appellee has previously been granted 0 days of extension in this EAJA case. Appellant has been granted 0 days of extension in this EAJA case.

Appellant is not opposed to this motion.

Wherefore, Appellee respectfully moves the Court to grant an extension of time until June 23, 2022, in which to file a response to Appellant's EAJA Application.

Respectfully submitted,

RICHARD A. SAUBER
General Counsel

MARY ANN FLYNN
Chief Counsel

ANNA WHITED
Deputy Chief Counsel

/s/ James R. Drysdale
JAMES R. DRYSDALE
Appellate Counsel
Office of General Counsel (027F)
U.S. Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, DC 20420
james.drysdale@va.gov
202-368-9477 / 202-632-4320

Attorneys for Appellee,
Secretary of Veterans Affairs