

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

GERALD A. LECHLITER,)	
)	
Petitioner,)	
)	
v.)	Vet.App. No. 23-2587
)	
DENIS MCDONOUGH,)	
Secretary of Veterans Affairs,)	
)	
Respondent.)	

RESPONDENT’S SOLZE NOTICE

Pursuant to *Solze v. Shinseki*, 26 Vet.App. 299 (2013), Respondent, Denis McDonough, Secretary of Veterans Affairs, respectfully informs the Court of recent “significant developments” concerning this appeal. *Id.* at 301. This duty is particularly significant in cases, like this one, filed pursuant to Rule 21 of the Court's Rules of Practice and Procedure. *Id.* at 302.

In accordance with *Solze*, the Secretary notifies the Court that on December 27, 2023, Petitioner was provided with a compact disc containing a copy of his entire VA claims folder. See attached Exhibit.

Respectfully submitted,

RICHARD J. HIPOLIT
Deputy General Counsel,
Veterans Programs

MARY ANN FLYNN
Chief Counsel

/s/ Edward V. Cassidy, Jr.
EDWARD V. CASSIDY, JR.
Deputy Chief Counsel

/s/ Debra L. Bernal
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Secretary of Veterans Affairs

EXHIBIT



DEPARTMENT OF VETERANS AFFAIRS

December 27, 2023

GERALD LECHLITER

[REDACTED]
LEWES DE 19958

In reply, refer to:

376/2711/SW

File Number: [REDACTED]

GERALD LECHLITER

FOIA Express Number:

24-24343-FP

Re: Privacy Act Request

Dear Mr. GERALD LECHLITER,

This is in response to your request dated October 19, 2023. We have provided you with the following record(s):

- The entire VA claims folder on file at office

This office will be providing your records on a compact disc (CD) for use on your personal computer. Only records of 10 pages or more are eligible for CD printing. The CD can be viewed on all computers through the use of Adobe Reader software, which is available online for free.

Please do not submit any of the enclosed documents to the VA as evidence to support a claim, as they are duplicates of existing records in your VA claims folder (and will not be considered as new and material evidence for the purpose of claims processing).

My review of the documents responsive to your request revealed that they contained information that falls within the disclosure protections of FOIA Exemption 6, 5 U.S.C. § 552(b)(6). FOIA Exemption 6 permits VA to withhold a document or information contained within a document if disclosure of the information would constitute a clearly unwarranted invasion of a living individual's personal privacy. Stated another way, VA may withhold information under FOIA Exemption 6 where disclosure of the information, either by itself or in conjunction with other information available to either the public or the FOIA requester, would result in an unwarranted invasion of an individual's personal privacy without contributing significantly to the public's understanding of the activities of the federal government. Specifically, the information I am

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LECHLITER, GERALD A

withholding, as indicated on the enclosed documents, under FOIA Exemption 6 consists of the Social Security Numbers and VA Employee Information as the individuals associated with this information have a personal privacy interest in it.

Where to Send Written Records

Please include a copy of this letter if you elect to resubmit documents.

Department of Veterans Affairs
Claims Intake Center
P.O. Box 4444
Janesville, WI 53547-4444

Or Fax to:
TOLL FREE: 844-531-7818 & 248-524-4260 (Utilized for Foreign Claimants)

Thank you for your interest in the Department of Veterans Affairs. Customer service is very important to us. If you have questions or concerns regarding your request for records under the Privacy Act or Freedom of Information Act, entitlement to VA benefits or the status of your claim, please contact the VA National Call Center at 1-800-827-1000. Refer to your reference/assigned case number on the upper right-hand corner of this letter when inquiring about your Privacy Act or Freedom of Information Act request.

What is VA.gov?

VA.gov provides electronic resources in a self-service environment to Servicemembers, Veterans, and their families. Use of these resources often helps us serve you faster! Through the VA.gov website you can:

- Submit claims for benefits and/or upload documents directly to the VA
- Request to add or change your dependents
- Update your contact and direct deposit information and view payment history
- Track the status of your claim or appeal
- Obtain verification of military service, civil service preference, or VA benefits
- And much more!

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LECHLITER, GERALD A

Enrolling in VA.gov is easy. Just visit www.va.gov for more information. If you submit a claim in the future, consider filing through VA.gov. Filing electronically, especially if you participate in our fully developed claim program, may result in a faster decision than if you submit your claim through the mail.

Respectfully,

Regional Office Director