



July 17, 2024

Ms. Tiffany M. Wagner
Clerk of the Court
U.S. Court of Appeals for Veterans Claims
625 Indiana Avenue, NW
Washington, DC 20004

Re: *Martin D. Spigner, III v. Denis McDonough*, No. 22-2636
Citation of Supplemental Authority

Dear Ms. Wagner:

Pursuant to Rule 30(b), Appellant, Martin D. Spigner, respectfully advises the Court of potentially pertinent and significant authority of which the undersigned counsel has become aware since submission of Appellant's principal brief in this appeal on December 19, 2022, and reply brief on June 1, 2023.

The additional authority is *Bolds v. McDonough*, __ Vet.App. __, slip op. at 8-9, No. 24-2484 (July 11, 2024) which addresses 38 U.S.C. § 7113(b) finding it is a claim-processing rule, not jurisdictional, and can be waived by the Secretary. This is pertinent to the arguments on pages 20-26 of Appellant's principal brief, and pages 9-14 of his reply brief.

Sincerely,

/s/ Justin S. Pollard
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