

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

BARRY C. WITHERS,

Appellant,

v.

ROBERT L. WILKIE,

Secretary of Veterans Affairs,

Appellee.

Vet. App. No. 16-1543-EAJA

**APPELLEE'S MOTION FOR A 45-DAY EXTENSION OF TIME
TO FILE RESPONSE TO APPELLANT'S EAJA APPLICATION
UNTIL MARCH 8, 2019**

Pursuant to U.S. Vet. App. Rules 26(b) and 45(g), the Secretary respectfully moves the Court for a 45-day extension of time to file his response to Appellant's Equal Access to Justice Act (EAJA) application, and, as good cause therefor, states that the request for additional time is being made because of the undersigned attorney's extensive professional responsibilities and therefore additional time is needed to prepare his response to Appellant's EAJA application.

In compliance with Rule 26, the Secretary states that his response to Appellant's EAJA application is due to be filed January 22, 2019, and neither party has received any previous extensions in the EAJA phase of this case. Counsel for Appellant has been contacted via e-mail regarding this motion, but it unknown at this time whether or not she is opposed to it.

WHEREFORE, the Secretary respectfully requests that the Court grant the Secretary's motion for an extension of time, until March 8, 2019.

Respectfully submitted,

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/s/ Carolyn F. Washington

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