

Further, and for the sole purpose of avoiding further litigation and the costs related thereto, the Secretary does not contest the reasonableness of the amount requested and is prepared to make payment to Appellant and his representative of record. The Secretary's concession here, however, in no way denotes his position as to any issue or matter presented herein which may potentially affect

the litigation or settlement of future applications for attorney fees and costs filed with this Court pursuant to 28 U.S.C. § 2412.

### **CONCLUSION**

**WHEREFORE**, Appellee, Secretary of Veterans Affairs, respectfully responds to Appellant's application for the award of attorney fees and other expenses and advises the Court that he does not contest an award in an amount deemed reasonable by the Court, up to \$24,511.92.

Respectfully submitted,

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