

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

CATHIE J. TOLLIVER,	)	
	)	
Appellant,	)	
	)	
v.	)	Vet. App. No. 16-3465
	)	
ROBERT L. WILKIE,	)	
Secretary of Veterans Affairs,	)	
	)	
Appellee.	)	

**APPELLEE’S MOTION FOR AN EXTENSION OF TIME  
TO RESPOND TO APPELLANT’S APPLICATION FOR ATTORNEY  
FEES AND EXPENSES**

Pursuant to U.S. Vet. App. R. 26 and 27, Appellee, Secretary of Veterans Affairs, respectfully moves the Court a 30-day extension of time within which to respond to Appellant’s application for attorney fees and expenses under the Equal Access to Justice Act (EAJA). If not for this motion, the Secretary’s response is due on or before April 5, 2019.

The additional time is needed due to significant workload and the need for supervisory review. The undersigned had, and continues to have, a high number of cases that require immediate attention.

Neither party has received any extensions in this phase of the litigation thus far.

On behalf of the Secretary, the undersigned expresses his regret to the Court and Appellant for any inconvenience caused by the delay in filing the Secretary’s response. However, in view of the above, the Secretary requests an additional 30 days to prepare and file his response to Appellant’s application for attorney fees and expenses.

Appellant does not oppose this motion.

**WHEREFORE**, Appellee, Secretary of Veterans Affairs, respectfully moves the Court for a 30-day extension of time to file a response to Appellant's application for attorney fees and expenses until May 6, 2019.

Respectfully submitted,

JAMES M. BYRNE  
General Counsel

MARY ANN FLYNN  
Chief Counsel

/s/ James B. Cowden  
JAMES B. COWDEN  
Deputy Chief Counsel

/s/ Ronen Morris  
RONEN MORRIS  
Senior Appellate Attorney  
Office of General Counsel  
U.S. Department of Veterans Affairs  
810 Vermont Avenue, N.W.  
Washington, D.C. 20420  
(202) 632-7113

Attorneys for Appellee  
Secretary of Veterans Affairs