

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 18-0294

JOHN S. WEBB, APPELLANT,

v.

ROBERT L. WILKIE,
SECRETARY OF VETERANS AFFAIRS, APPELLEE.

Before BARTLEY, GREENBERG, and ALLEN, *Judges*.

ORDER

Appellant John S. Webb, through counsel, appeals a December 29, 2017, Board of Veterans' Appeals decision that denied service connection for a right testicle epididymal cyst. On March 26, 2019, this matter was referred to a panel.

On June 6, 2019, the parties filed a joint motion to terminate the appeal, along with a stipulated agreement. The stipulated agreement indicates that the parties have agreed that the Secretary will award service connection for residuals of a right testicle epididymal cyst, including a right radical orchiectomy, that the Secretary does not concede error, and that the appellant agrees that his appeal will be terminated. The Court will grant the parties' motion.

Based on the parties' implicit waiver, under Rule 41(b) of the Court's Rules of Practice and Procedure, this order will serve as mandate of the Court. *See Bly v. Shulkin*, 883 F.3d 1374, 1377 (Fed. Cir. 2018).

Upon consideration of the foregoing, it is

ORDERED that the June 6, 2019, joint motion to terminate this appeal is GRANTED. It is further

ORDERED, pursuant to Rule 41(b) of the Court's Rules of Practice and Procedure, that this order is the mandate of the Court.

DATED: June 18, 2019

PER CURIAM.