

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 18-6798

MARVIN H. JOHNSON,

APPELLANT,

v.

ROBERT L. WILKIE,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before BARTLEY, TOTH, and FALVEY, *Judges*.

ORDER

*Note: Pursuant to U.S. Vet. App. R. 30(a),
this action may not be cited as precedent.*

Before the Court is Marvin H. Johnson's August 28, 2019, motion to withdraw his April 25, 2019, Motion for Aggregate Action. Mr. Johnson tells us that the Secretary is unopposed. Because the Secretary is unopposed and Mr. Johnson would no longer like to represent a class, the Court will grant his motion to withdraw the April 25, 2019, Motion for Aggregate Action.

And, because this matter was referred to panel to address Mr. Johnson's motion for Aggregate Action, panel proceedings are no longer necessary. Instead, the matter may proceed under normal procedures in accordance with the Court's Rules of Practice and Procedure and Internal Operating Procedures. Mr. Johnson has until September 23, 2019, to file his reply brief and the Secretary should then proceed to file the record of proceedings under Rule 28. Assuming no record disputes or further motions, the matter would then be assigned to a member of this Court to address the merits.

Upon consideration of the foregoing, it is

ORDERED that Mr. Johnson's motion to withdraw his Motion for Aggregate Action is granted. It is further

ORDERED that this panel is hereby dissolved and that this matter proceed under normal procedures in accordance with the Court's Rules of Practice and Procedure.

DATED: August 30, 2019

PER CURIAM.

Copies to:

Zachary M. Stolz, Esq.
VA General Counsel (027)