

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

HOWARD MORGAN, JR.,)	
)	
Appellant,)	
)	
v.)	Vet. App. No. 17-0098
)	
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 15-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 October 9, 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.

The Secretary received 30 days of extension time for this action. No other extensions have been taken by either party in this phase of the litigation.

On behalf of the Secretary, the undersigned expresses his regret to the Court and Appellant for his oversight 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 October 24, 2019.

Respectfully submitted,

JAMES M. BYRNE
General Counsel

MARY ANN FLYNN
Chief Counsel

/s/ Sarah W. Fusina
SARAH W. FUSINA
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