

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

JOHN D. PIVEROTTO,)	
)	
Appellant,)	
)	
v.)	Vet. App. No. 18-0677
)	
ROBERT L. WILKIE,)	
Secretary of Veterans Affairs,)	
)	
Appellee.)	

**APPELLEE'S UNOPPOSED MOTION FOR LEAVE TO FILE
RESPONSE TO APPELLANT'S EAJA APPLICATION OUT OF TIME**

Pursuant to U.S. Vet. App. R. 26(b), Appellee Robert L. Wilkie, Secretary of Veterans Affairs, respectfully requests leave of the Court to file Appellee's Response to Appellant's Equal Access to Justice Act (EAJA) application for award of reasonable attorney fees and expenses in this case, out of time.

This motion is being filed because due to an administrative oversight, Appellee's Response to Appellant's EAJA Application is untimely.

Counsel for the Appellee apologizes to the Court and to the Appellant for any inconvenience caused by the delay in filing a response to Appellant's EAJA Application.

Counsel for the Appellant is not opposed to this motion.

WHEREFORE, Appellee Robert L. Wilkie, Secretary of Veterans Affairs, respectfully requests that the Court grant his Motion for Leave to

File Appellee's Response to Appellant's EAJA Application Out of Time in
the above-captioned matter.

Respectfully submitted,

WILLIAM A. HUDSON, JR
Acting General Counsel

MARY ANN FLYNN
Chief Counsel

/s/ Carolyn F. Washington
CAROLYN F. WASHINGTON
Deputy Chief Counsel

/s/ Lori M. Jemison
LORI M. JEMISON
Senior Appellate Attorney
Office of General Counsel (027D)
U.S. Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, DC 20420
(202) 632-8393

Attorneys for Appellee