

NICOLO PORRIELLO,)
Appellant,)
)
v.) Vet.App. No. 16-2880
)
DAVID J. SHULKIN, M.D.,)
Secretary of Veterans Affairs,)
Appellee.)

Pursuant to Rule 27(a) and 28(g) of this Court's Rules of Practice and Procedure (Rules), the Secretary respectfully requests leave of the Court to file Appellee's Motion to Dismiss.

Counsel for Appellant is opposed to this motion.

WHEREFORE, the Secretary respectfully requests that the Court grant his Motion for Leave to File Appellee's Motion to Dismiss.

Respectfully submitted,

MEGHAN FLANZ

Interim General Counsel

MARY ANN FLYNN

Chief Counsel

/s/ James B. Cowden

JAMES B. COWDEN

Deputy Chief General Counsel

/s/ Nicholas R. Esterman

NICHOLAS R. ESTERMAN

Appellate Attorney

Office of the General Counsel (027K)

U.S. Department of Veterans Affairs

810 Vermont Avenue, N.W.

Washington, D.C. 20420

(202) 632-8392

Counsel for the Secretary