IN THE UNITED STATES COURT OF APPEALS
FOR VETERANS CLAIMS

RICARDO D. STAFFORD,	)	
	)	
Appellant,	)	
	)	Vet. App. No. 18-4520
vs.	)	
	)	
ROBERT L. WILKIE,	)	
Secretary of Veterans Affairs,	)	
Appellee.	)	

APPELLANT'S MOTION TO CONSOLIDATE APPEALS

Pursuant to Rules 3(e) and 27 of the Court's Rules of Practice and Procedure, Appellant, Ricardo D. Stafford, respectfully moves the Court to consolidate this appeal with *Christensen v. Wilkie*, No. 18-3320, and *Hughes v. Wilkie*, No. 18-5630.[1]

Consolidation of these cases would conserve the Court's and the Secretary's resources and promote judicial economy. All three cases involve the same legal issue: whether 38 C.F.R. § 4.16(b) (2019) precludes the Board of Veterans' Appeals from granting entitlement to a total disability rating based on individual unemployability (TDIU) without first referring the matter to the Director of Compensation Service for a decision. Recognizing that these cases involve the same issue, the Court sua sponte stayed proceedings on 18-5630 and 18-3320 pending its resolution of this case or until further order of the Court. Additionally, Messrs. Stafford, Christensen, and Hughes

[1] Messrs. Christensen and Hughes are filing concurrent motions to consolidate.

are represented by the same lead counsel and law firm, and all three appellants have consented to consolidating their appeals.

Counsel has contacted the Secretary about this motion and has been informed that the Secretary is opposed and plans to respond in writing.

Wherefore, Appellant respectfully moves the Court to consolidate his appeal with *Christensen*, No. 18-3320, and *Hughes*, No. 18-5630.

Respectfully submitted,

/s/ *Zachary M. Stolz*
Zachary M. Stolz

/s/ *April Donahower*
April Donahower

Chisholm Chisholm & Kilpatrick Ltd
321 S Main St #200
Providence, RI 02903
(401) 331-6300
(401) 421-3185
Counsel for Appellant