IN THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

DOROTHY C. FOGG,)
Appellant,)
V.) Vet. App. No. 18-6976
ROBERT L. WILKIE, Secretary of Veterans Affairs,)))
Appellee.)

APPELLEE'S UNOPPOSED MOTION FOR LEAVE TO FILE AN AMENDED RESPONSE TO APPELLANT'S APPLICATION FOR ATTORNEY FEES AND EXPENSES

Pursuant to U.S. Vet. App. Rules 27 and 39(a)(1), the Secretary respectfully requests leave to file an amended response to Appellant's application for an award of attorney fees and expenses under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. As cause for this motion, after the Secretary filed his response contesting portions of Appellant's EAJA application, and the parties participated in the Court-ordered conference and engaged in further discussions, the Secretary and Appellant came to an agreement. Thus, an amended response to the EAJA application is necessary.

Counsel for the Appellant is unopposed to this motion

WHEREFORE, Appellee respectfully moves the Court for leave to file an amended response to Appellant's EAJA application.

Respectfully submitted,

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MARY ANN FLYNN

Chief Counsel

<u>/s/ Christopher W. Wallace</u> **CHRISTOPHER W. WALLACE**Deputy Chief Counsel

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