

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 20-4961

JEREMY BEAUDETTE
& MAYA BEAUDETTE,

PETITIONER,

v.

ROBERT L. WILKIE,
SECRETARY OF VETERANS AFFAIRS,

RESPONDENT.

Before ALLEN, TOTH, and FALVEY, *Judges.*

ORDER

*Note: Pursuant to U.S. Vet. App. R. 30(a),
this action may not be cited as precedent.*

Currently before a panel of the Court are the Beaudettes' petition for extraordinary relief and motion for certification of a class of VA claimants. Oral argument is scheduled for January 21, 2021. On December 14, 2020, Blaine and Stacey Sullivan filed a motion to consolidate their pending petition (docket number 20-6570) with the Beaudettes'. The Sullivans assert that consolidation is in the interests of judicial economy because the legal issues raised in both cases are the same. The Sullivans indicate that they have consulted with the Secretary, who takes no position on the consolidation motion but reserves the right to respond in writing. Any such response would be due on December 28, 2020. *See* U.S. VET. APP. R. 27(b)(1). The Sullivans' motion also indicates that the Beaudettes were served with a copy, but it does not specify whether they were consulted for their position on the motion. *Cf.* U.S. VET. APP. R. 27(a)(5). The pending motion for class certification in this case adds a novel factor to the consolidation analysis that the Court has not yet been called upon to resolve. The Court would appreciate the positions of the parties on this question. Accordingly, it is

ORDERED that, not later than December 28, 2020, the Secretary and the Beaudettes advise the Court of their positions on the Sullivans' consolidation motion.

DATED: December 17, 2020

PER CURIAM.

Copies to:

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