

February 26, 2021

Gregory O. Block  
Clerk of the Court  
United States Court of Appeals for Veterans Claims  
625 Indiana Avenue, NW  
Washington, DC 20004

Re: *Andrews v. Wilkie*, No. 19-352  
Citation of Supplemental Authority

Dear Mr. Block:

Pursuant to Rule 30(b), Appellant hereby advises the Court of potentially pertinent and significant additional authority.

The additional authority is *Healey v. McDonough*, \_\_ Vet.App. \_\_, No. 18-6970 (Feb. 24, 2021). On page 7, the opinion states that the *Purplebook* “generally serves the same function that the M21-1 does for adjudicators at VA regional offices.” The opinion continues on pages 10-11 to cite to *Morton v. Ruiz*, 415 U.S. 199, 235 (1974), for the proposition that there is “a longstanding practice of requiring an agency to follow its own internal guidance and policies even when they impose obligations beyond those imposed by binding legal authorities” and to hold that the Board “must provide a reasoned basis for departing from the guidance offered” by a guidance document such as the *Purplebook* if it believes that there is a justification for not being bound by it in the instant case.

This decision is pertinent to the arguments regarding VA ADJUDICATION PROCEDURES MANUAL M21-1, pt. III, sbpt. iv, ch. 4, sec. H.2.e on pages 6-9 of Appellant’s principal brief and pages 1-5 of Appellant’s reply brief.

Sincerely,

/s/ James D. Ridgway  
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