

**IN THE UNITED STATES COURT OF APPEALS  
FOR VETERANS CLAIMS**

**HERMAN O. BAILEY,**  
Appellant,

V.

**DENIS MCDONOUGH,**  
Secretary of Veterans Affairs,  
Appellee.

Vet.App. No. 19-2661

**APPELLEE’S UNOPPOSED MOTION FOR AN EXTENSION OF TIME  
TO RESPOND TO APPELLANT’S APPLICATION FOR ATTORNEY’S  
FEES UNTIL JUNE 28, 2021**

Pursuant to U.S. Vet. App. R. 26(b), 27, and 45(g), Appellee, Denis McDonough, Secretary of Veterans Affairs, respectfully moves the Court for a 45-day extension of time within which to respond to Appellant's Application for Attorney's Fees and Expenses. If not for this motion, the Secretary's response would be due on May 14, 2021.

This request for additional time is made in light of the undersigned's need to confer with Appellant's counsel with respect to this application, as well as the undersigned's workload considerations and need to obtain supervisory review and approval of the Secretary's response.

As of the date of this motion, neither party has sought any extension of time with respect to any filing relating to this phase of the case. On behalf of the Secretary, counsel expresses regret to the Court and Appellant for any inconvenience caused by the delay in filing the Secretary's response. However,

in view of the aforesaid circumstances, an extension of 45 days, until June 28, 2021, is requested.

Appellant's counsel has been consulted with respect to this motion and has advised that Appellant is unopposed to this motion for extension.

**WHEREFORE**, Appellee, Denis McDonough, Secretary of Veterans Affairs, respectfully moves the Court for an extension of time to file a response to Appellant's Application for Award of Reasonable Attorney's Fees and Expenses, until June 28, 2021.

Respectfully submitted,

**RICHARD A. SAUBER**  
General Counsel

**MARY ANN FLYNN**  
Chief Counsel

/s/ Edward V. Cassidy, Jr.  
**EDWARD V. CASSIDY, JR.**  
Deputy Chief Counsel

/s/ Brandon T. Callahan  
**BRANDON T. CALLAHAN**  
Senior Appellate Attorney  
Office of General Counsel (027B)  
U.S. Department of Veterans Affairs  
810 Vermont Avenue, N.W.  
Washington, D.C. 20420  
(202) 632-7141

Attorneys for Appellee Secretary  
of Veterans Affairs