

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

LEWIS R. PAGE,

Appellant,

v.

DENIS MCDONOUGH,

Secretary of Veterans Affairs,

Appellee.

)
)
)
)
)
)
)
)
)
)
)

No. 19-0865

**APPELLANT’S RESPONSE TO THE SECRETARY’S MOTION FOR LEAVE
TO AMEND HIS MOTION TO AMEND THE RECORD BEFORE THE AGENCY**

Pursuant to U.S. Vet.App. Rule 27(a), Appellant, through counsel, files this response opposing the Secretary’s July 20, 2021, Motion for Leave to Amend his November 27, 2019, Motion to Amend the Record Before the Agency (“RBA”), and respectfully asks the Court to deny the motion for the same reasons he articulated in his December 11, 2019, response to the Secretary’s original November 27, 2019, motion and in his February 6, 2020, motion to strike the Secretary’s brief in part. The Secretary states that he seeks to add the January 12, 2015, records from VistA to the RBA for the same reasons as outlined in his November 27, 2019, motion. Because he cites no additional law in the current motion, Appellant’s motion to strike and his response to the Secretary’s original motion demonstrate why the Secretary’s current motion should be denied as well.

Respectfully submitted,

/s/ Glenn R. Bergmann
GLENN R. BERGMANN

August 3, 2021

/s/ Melissa Hendricks
MELISSA HENDRICKS
Bergmann & Moore, LLC
7920 Norfolk Ave. Suite 700
Bethesda, Maryland 20814
(301) 290-3169