

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

MERRILETTA HAYES,

Appellant,

v.

DENIS MCDONOUGH,

Secretary of Veterans Affairs,

Appellee.

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Vet. App. No. 20-0449

**APPELLANT’S UNOPPOSED MOTION TO POSTPONE AND RESCHEDULE ORAL
ARGUMENT**

Pursuant to U.S. Vet.App. R. 27 and R. 34(d), the Appellant respectfully moves the Court to reschedule the oral argument in this case currently scheduled for October 5, 2021, at 10:00 am.

As good cause for this motion, counsel for the Appellant affirms that she necessitates sufficient time to fully prepare for the complex issues presented in this case. Furthermore, counsel for the Appellant desires additional time for a clinical law student¹ to prepare for participation in the scheduled oral argument. The clinical law student began the semester recently and needs sufficient time to become familiar with the matter and the applicable legal arguments. Finally, counsel for the Appellant requests additional time in light of her caseload before this Court and other tribunals. Counsel for the Appellant understands the mutual interest in expeditious judicial resolution of this case and apologizes to the Court for any inconvenience caused by this unopposed motion.

Counsel for the Secretary has informed the Appellant’s counsel that the Secretary does not oppose this motion.

The Appellant requests that oral argument be rescheduled. To avoid other scheduling issues, the Appellant respectfully proposes that oral argument be rescheduled for any day on which the Court regularly conducts business during the weeks of October 18, 2021, or October

¹ The clinical student’s Form 46G to file her appearance is forthcoming. Counsel for the Appellant is waiting for the Appellant’s signed Form 46G at this time.

25, 2021. Counsel for the Secretary has informed the Appellant's counsel that the Secretary does not have a scheduling conflict with those proposed dates.

WHEREFORE, the Appellant respectfully requests that the Court grant this unopposed motion to reschedule the oral argument currently scheduled for October 5, 2021, to a later date convenient to the Court.

Respectfully submitted,

/s/ Jillian E. Berner

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