

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

**JEREMY AND MAYA BEAUDETTE,** )

Petitioners, )

v. )

Vet. App. No. 20-4961

**DENIS McDONOUGH,** )  
Secretary of Veterans Affairs, )

Respondent. )

**JOINT STIPULATION AND MOTION FOR ORDER**

The parties provide the following joint stipulation to the Court regarding the status of the Secretary's notice procedures for new decisions under the Program of Comprehensive Assistance for Family Caregivers (Caregiver Program), and jointly move for the Court to enter the stipulation as an order of the Court.

WHEREAS, as noted in footnote 1 of the parties' Joint Notice Plan, the Secretary has not yet begun sending updated notice in conjunction with Caregiver Program decisions that includes information about the right to appeal such decisions to the Board of Veterans' Appeals (Board);

WHEREAS, the Secretary concedes that it has taken the Secretary some time to envision how the Court's decision in this case impacts the underlying structure and workflow of Caregiver Program claims and

appeals, and, accordingly, it has taken some time to implement updated notice;

WHEREAS, Class Counsel raised this issue regarding updated notice with the Secretary as an important matter needing rapid completion, and the Secretary agrees; and

WHEREAS, the parties agree the Court should be notified of the status of these efforts, and that the Court should enter the Secretary's timeline for completion as an order in this case in furtherance of the Court's prior decision and order;

WHEREAS, the Secretary reports that approval of updated notice is in the final stages of intra-agency comment and review, and after final approval, a period is needed for technical computer system updates necessary to put into effect the inclusion of updated notice with forthcoming Caregiver Program decisions;

NOW THEREFORE, in consideration of the above recitals, the parties agree that:

1. The Secretary shall complete this process and for updated notice letters to be included with new Caregiver Program decisions no later than September 30, 2021; and
2. the Secretary shall file a status report to notify the Court and Class Counsel when the process is complete and updated notice letters are included with new Caregiver Program decisions.

For the good cause set forth in the recitals above, the Parties respectfully request that the Court adopt the Parties' stipulation as an order of the Court.

Respectfully submitted,

FOR PETITIONERS  
AND THE CLASS:

/s/ Andy LeGolván  
Andy LeGolván  
PAUL HASTINGS LLP  
4747 Executive Drive, 12th Floor  
San Diego, CA 92121  
(858) 458-3006  
[andylegolvan@paulhastings.com](mailto:andylegolvan@paulhastings.com)

Amanda Pertusati  
PUBLIC COUNSEL  
610 S. Ardmore Avenue  
Los Angeles, CA 90005  
(213) 385-2977  
[apertusati@publiccounsel.org](mailto:apertusati@publiccounsel.org)

Barton F. Stichman  
NATIONAL VETERANS LEGAL  
SERVICES PROGRAM  
1600 K Street NW  
Washington, DC 20005  
(202) 265-8305

FOR RESPONDENT:

**RICHARD A. SAUBER**

General Counsel

**MARY ANN FLYNN**

Chief Counsel

/s/ Mark M. McNabb

**MARK M. McNABB**

Senior Appellate Attorney

Office of General Counsel (027C)

U.S. Dept. of Veterans Affairs

810 Vermont Avenue, N.W.

Washington, DC 20420

(202) 632-7109

Attorneys for the Respondent,  
Secretary of Veterans Affairs