

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

**MOTION GRANTED**

September 17, 2021

For the Panel



Joseph L. Toth  
Judge

**APPELLANT'S UNOPPOSED AND RENEWED MOTION TO POSTPONE AND  
RESCHEDULE ORAL ARGUMENT**

Pursuant to U.S. Vet.App. R. 27 and R. 34(d), the Appellant, by counsel, respectfully renews her motion for the Court to postpone and 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 requests additional time for a clinical law student<sup>1</sup> 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

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<sup>1</sup> The clinical student's Form 46G to file her appearance was submitted to the Clerk of Court on September 14, 2021, via e-mail.

Appellant understands the mutual interest in expeditious judicial resolution of this case and apologizes to the Court for any inconvenience caused by this motion.

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

The Appellant respectfully requests that the Court be cognizant of the end-of-semester examination period, spanning from November 22 to November 30, 2021, if possible, when scheduling the oral argument in this matter. The Appellant understands the Court's docket and workload and requests that the Court reschedule oral argument to a time most convenient for the Court.

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

**JILLIAN E. BERNER**

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