

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

**FLORENCE PETITE,**

Appellant,

v.

**DENIS MCDONOUGH,**

Secretary of Veterans Affairs,

Appellee.

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Vet. App. No. 19-5815

**UNOPPOSED MOTION FOR A 45-DAY EXTENSION OF TIME,  
FROM MAY 9, 2022, UNTIL JUNE 23, 2022,  
TO FILE APPELLEE'S RESPONSE UNDER VET. APP. R. 39(a)(1) TO  
APPELLANT'S APPLICATION FOR ATTORNEY FEES AND EXPENSES**

Pursuant to VET. APP. R. 26(b), 27, and 45(g)(4), Appellee, Secretary of Veterans Affairs, respectfully moves the Court for a 45-day extension of time within which to file a response under VET. APP. R. 39(a)(1) to Appellant's application for attorney fees and expenses pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). If not for this motion, Appellee's EAJA response would be due May 9, 2022.

The Secretary seeks a 45-day extension until June 23, 2022. Counsel for Appellee states the following as cause for this motion: Since Appellant's EAJA Application was filed, counsel has filed numerous pleadings and participated in multiple pre-briefing conferences with the Court's Central Legal Staff (CLS). Counsel has also been focused on meeting the filing dates in a number of other

matters. As a result, counsel has not yet had the opportunity to extensively review and properly respond to Appellant's EAJA Application.

Appellee has previously been granted 0 days of extension in this EAJA case. Appellant has been granted 0 days of extension in this EAJA case.

Appellant is not opposed to this motion.

**Wherefore**, Appellee respectfully moves the Court to grant an extension of time until June 23, 2022, in which to file a response to Appellant's EAJA Application.

Respectfully submitted,

**RICHARD A. SAUBER**  
General Counsel

**MARY ANN FLYNN**  
Chief Counsel

**ANNA WHITED**  
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/s/ James R. Drysdale  
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