

## MOTION GRANTED

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

For the Panel  
November 7, 2022



Amanda L. Meredith  
Judge

JUSTIN D. GRAY,

Petitioner,

v.

DENIS MCDONOUGH,  
Secretary of Veterans Affairs,

Respondent.

Vet. App. No. 22-3933

### RESPONDENT'S MOTION FOR LEAVE TO FILE A SUPPLEMENTAL RESPONSE TO THE COURT'S OCTOBER 18, 2022, ORDER

Pursuant to U.S. Vet. App. R. 26(b), Respondent, Denis McDonough, Secretary of Veterans Affairs, respectfully requests leave of the Court to file a supplemental response to the Court's October 18, 2022, Order.

In the October 18, 2022, Order, the Court found that ordering the Secretary to respond to Petitioner's motion to compel would assist the Court at oral argument, scheduled for November 9, 2022. Order at 1. Particularly, to provide information related to 1,043 cases identified by Petitioner's September 2022 Supplemental Response. This task proved burdensome, and while the Secretary was able to provide a substantial amount of information to the Court in the November 1, 2022, Response,

additional information has since been received from the Board. On November 7, 2022, the undersigned received a supplemental declaration from Christopher A. Santoro directly addressing a portion of the 1,043 cases identified by Portioner's motion to compel. Notably, these cases were not addressed in the November 1, 2022, Response.

Because this updated, pertinent information was unavailable until November 7, 2022, after Respondent filed his initial response to the October 18, 2022, Order, the undersigned respectfully asks for leave to file the Supplemental Response filed concurrently with this motion.

Counsel for the Appellant does not oppose this motion.

**WHEREFORE**, Respondent, Denis McDonough, Secretary of Veterans Affairs, respectfully requests that the Court grant his Motion for Leave to file a supplemental response to the Court's October, 18, 2022, Order, in the above-captioned matter.

Respectfully submitted,

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/s/ Megan C. Kral  
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