

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

DANIEL R. WHITTAKER,)	
)	
Appellant,)	
)	
v.)	Vet. App. No. 20-4406 EAJA
)	
DENIS MCDONOUGH,)	
Secretary of Veterans Affairs,)	
)	
Appellee.)	

UNOPPOSED MOTION TO STAY FURTHER PROCEEDINGS

Pursuant to U.S. Vet. App. Rules 5(a)(3), 27(a) and 45(g)(5), the Secretary respectfully moves the Court for a 30-day stay of proceedings, until April 11, 2023, while the parties attempt to negotiate a joint resolution pertaining to Appellant's application for an award of attorney fees and expenses under the Equal Access to Justice Act (EAJA).

If the parties were to agree to and if the Court were to accept a joint resolution pertaining to Appellant's application for an award of attorney fees and expenses under EAJA, such joint resolution would eliminate the need for further Court review and would render unnecessary further briefing by the parties. See *Breeden v. Principi*, 17 Vet.App. 475, 479 (2004) (a joint motion for remand moots case or controversy). The Court should therefore grant this motion for stay in the interest of judicial efficiency.

Counsel for Appellant is unopposed to this motion.

WHEREFORE, in light of the foregoing, Appellee respectfully moves the Court to stay proceedings in this matter until April 11, 2023.

Respectfully submitted,

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MARY ANN FLYNN
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