

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

<b>ROGER W. WIKER,</b>	)	
	)	
Appellant,	)	
	)	
v.	)	Vet. App. No. 21-5454
	)	
<b>DENIS MCDONOUGH,</b>	)	
Secretary of Veterans Affairs,	)	
	)	
Appellee.	)	

**APPELLEE'S UNOPPOSED MOTION FOR A 45-DAY EXTENSION OF TIME  
TO FILE A RESPONSE TO APPELLANT'S EAJA APPLICATION  
UNTIL OCTOBER 23, 2023**

Pursuant to U.S. Vet. App. Rules 26(b) and 45(g), the Secretary respectfully moves the Court for a 45-day extension of time to file his response to Appellant's Equal Access to Justice Act (EAJA) application, and, as good cause therefor, states that the request for additional time is being made because of the undersigned attorney's extensive professional responsibilities and therefore additional time is needed to prepare his response to Appellant's EAJA application.

In compliance with Rule 26, the Secretary states: his response to Appellant's EAJA application is due to be filed September 6, 2023; neither party has received any previous extensions in the EAJA phase of this case; and Appellant's counsel does not oppose this motion.

**WHEREFORE**, the Secretary respectfully requests that the Court grant the Secretary's unopposed motion for an extension of time, until October 23, 2023.

Respectfully submitted,

**RICHARD J. HIPOLIT**  
Deputy General Counsel  
For Veterans Programs

**MARY ANN FLYNN**  
Chief Counsel

/s/ Mark J. Hamel

**MARK J. HAMEL**  
Deputy Chief Counsel  
Office of General Counsel (027J)  
U.S. Department of Veterans Affairs  
810 Vermont Avenue, N.W.  
Washington, D.C. 20420  
(202) 632-6135

Attorneys for Appellee,  
Secretary of Veterans Affairs