

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

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|--------------------------------|---|-----------------------|
| FELIX PAUL PHILLIPS, |) | |
| Appellant, |) | |
| |) | |
| v. |) | Vet. App. No. 22-2575 |
| |) | |
| DENIS MCDONOUGH, |) | |
| Secretary of Veterans Affairs, |) | |
| Respondent. |) | |

**APPELLEE’S MOTION FOR AN EXTENSION OF TIME
TO FILE REPLY**

Appellee, Secretary of Veterans Affairs, respectfully moves the Court for a 14-day extension of time to file a reply to Appellant’s September 6, 2023, response to the Secretary’s motion for reconsideration. In its July 5, 2023, order, the Court ordered Appellant to file a response to the Secretary’s motion for reconsideration within 21 days and ordered that the Secretary may file a reply to that response within 14 days of the date on which the response is filed. Appellant filed his response on September 6, 2023, and so, absent an extension, the Secretary’s deadline to file a reply is September 20, 2023.

The Secretary requires additional time to prepare and complete his response. The additional time is needed due to the complexity and novelty of the issues raised in this case and because the undersigned, who is responsible for drafting the Secretary’s reply, has had unprecedented workload for the past several months and has not had the opportunity to complete the reply.

This is the Secretary’s first request for an extension related to this action. The Secretary has otherwise received a total of 45 days of extension

time in this case. Appellant has received a total of 57 days of extension time in this case thus far.

On behalf of the Secretary, the undersigned apologizes for any inconvenience caused by the delay in filing the Secretary's reply. However, in view of the above, the Secretary requests an additional 14 days to prepare and file his reply.

Appellant does not oppose this motion.

WHEREFORE, Appellee, Secretary of Veterans Affairs, respectfully moves the Court for a 14-day extension of time, until October 4, 2023, to file a reply to Appellant's response to the Secretary's motion for reconsideration.

Respectfully submitted,

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