

United States Court of Appeals for the Federal Circuit

GAMBIT CLYDE SHREVE,
Claimant-Appellant,

v.

**ERIC K. SHINSEKI, SECRETARY OF VETERANS
AFFAIRS,**
Respondent-Appellee.

2012-7077

Appeal from the United States Court of Appeals for
Veterans Claims in case no. 10-3629, Judge Lawrence B.
Hagel.

JUDGMENT

THOMAS R. BENDER, Chisholm Chisholm & Kilpatrick,
Ltd., of Providence, Rhode Island, argued for claimant-
appellant. Of counsel was ZACHARY M. STOLZ.

MICHAEL S. MACKO, Trial Attorney, Commercial Liti-
gation Branch, Civil Division, United States Department
of Justice, of Washington, DC, argued for respondent-
appellee. With him on the brief were STUART F. DELERY,
Acting Assistant Attorney General, JEANNE E. DAVIDSON,
Director, and MARTIN F. HOCKEY, JR., Assistant Director.
Of counsel on the brief were MICHAEL J. TIMINSKI, Deputy
Assistant General Counsel, and JONATHAN E. TAYLOR,
Attorney, United States Department of Veterans Affairs,
of Washington, DC.

THIS CAUSE HAVING BEEN HEARD AND CONSIDERED, IT IS
ORDERED AND ADJUDGED:

PER CURIAM (PROST, O'MALLEY, and REYNA, *Circuit
Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

January 18, 2013
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk