

NOTE: This disposition is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2008-7073

DANIEL G. ROSS,

Claimant-Appellant,

v.

ERIC K. SHINSEKI, Secretary of Veterans Affairs,

Respondent-Appellee.

Zachary M. Stolz, Chisholm, Chisholm & Kilpatrick, of Washington, DC, argued for claimant-appellant. With him on the brief was Robert V. Chisholm, of Providence, Rhode Island.

Meredyth Cohen Havasy, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent-appellee. With her on the brief were Jeanne E. Davidson, Director, and Todd M. Hughes, Deputy Director. Of counsel on the brief were Michael J. Timinski, Deputy Assistant General Counsel, Jamie L. Mueller, and Martie S. Adelman, Attorneys, Office of the General Counsel, United States Department of Veterans Affairs, of Washington, DC.

Appealed from: United States Court of Appeals for Veterans Claims

Chief Judge William P. Greene, Jr.

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## Judgment

ON APPEAL from the United States Court of Appeals  
for Veterans Claims

in CASE NO(S). 05-2286.

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (MAYER, LOURIE, and SCHALL Circuit Judges )

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED February 4, 2009

/s/ Jan Horbaly  
Jan Horbaly, Clerk