

NOTE: This disposition is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

DANNY R. BREWER,
Claimant-Appellant,

v.

**Eric K. Shinseki, SECRETARY OF VETERANS
AFFAIRS,**
Respondent-Appellee.

2012-7167

Appeal from the United States Court of Appeals for
Veterans Claims in No. 10-2759, Judge Donald L. Ivers.

JUDGMENT

ANDREW J. WAGHORN, of Gainesville, Virginia, argued
for claimant-appellant.

KENNETH M. DINTZER, Trial Attorney, Commercial
Litigation Branch, Civil Division, United States Depart-
ment of Justice, of Washington, DC, argued for respond-
ent-appellee. On the brief were STUART F. DELERY,
Principal Deputy Assistant Attorney General, JEANNE E.
DAVIDSON, Director, MARTIN F. HOCKEY, JR., Assistant

Director, and ALEX P. HONTOS, Trial Attorney. Of counsel on the brief were MICHAEL J. TIMINSKI, Deputy Assistant General Counsel, and MARTIE ADELMAN, Staff Attorney, United States Department of Veterans Affairs, of Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (Before RADER, *Chief Judge*, CLEVINGER, and PROST, *Circuit Judges*.)

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

May 14, 2013
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk