

NOTE: This disposition is nonprecedential.

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

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**GEORGE S. HAYES,**  
*Claimant-Appellant*

v.

**DENIS MCDONOUGH, SECRETARY OF  
VETERANS AFFAIRS,**  
*Respondent-Appellee*

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2020-1892

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Appeal from the United States Court of Appeals for  
Veterans Claims in No. 19-2446, Judge Joseph L. Falvey,  
Jr.

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**JUDGMENT**

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KENNETH DOJAQUEZ, Carpenter Chartered, Topeka,  
KS, argued for claimant-appellant. Also represented by  
JOHN D. NILES.

NATHANAEL YALE, Commercial Litigation Branch, Civil  
Division, United States Department of Justice, Washing-  
ton, DC, argued for respondent-appellee. Also represented  
by BRIAN M. BOYNTON, MARTIN F. HOCKEY, JR., ROBERT  
EDWARD KIRSCHMAN, JR.; BRIAN D. GRIFFIN, EVAN SCOTT

GRANT, Office of General Counsel, United States Department of Veterans Affairs, Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, DYK, and O'MALLEY, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

October 18, 2021  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court