

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2010-7031

RUBY MCFADDEN,

Claimant-Appellant,

v.

ERIC K. SHINSEKI, Secretary of Veterans Affairs,

Respondent-Appellee.

Appeal from the United States Court of Appeals for Veterans Claims  
in case no. 07-3529, Judge Lawrence B. Hagel.

ON MOTION

ORDER

Upon consideration of Ruby McFadden's motion for an extension of time to file a formal brief,

IT IS ORDERED THAT:

The motion is granted. If counsel does not enter an appearance and file a formal brief within 60 days of the date of filing of this order, then this case will proceed on the informal brief submitted by McFadden, and the Secretary of Veterans Affairs' brief is due within 100 days of the date of filing of this order. If counsel does enter an appearance on behalf of McFadden and file a formal brief within 60 days of the date of filing of this order, then the Secretary should calculate his brief due date from the date of service of the formal brief. If a formal brief is submitted by McFadden, then the informal brief will be discarded.

FOR THE COURT

MAR 31 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Ruby McFadden  
James R. Sweet, Esq.

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**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

MAR 31 2010

JAN HORBALY  
CLERK