

NOTE: This disposition is nonprecedential.

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

KARL O. KOKESCH,
Claimant-Appellant,

v.

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

2010-7053

Appeal from the United States Court of Appeals for
Veterans Claims in No. 07-CV-3423, Judge Mary J.
Schoelen.

JUDGMENT

DAVID E. BOELZNER, Goodman, Allen & Filetti, of
Richmond, Virginia, argued for claimant-appellant.

CLAUDIA BURKE, Attorney, Commercial Litigation
Branch, Civil Division, United States Department of
Justice, of Washington, DC, argued for respondent-
appellee. On the brief were TONY WEST, Assistant
Attorney General, JEANNE E. DAVIDSON, Director, BRIAN
M. SIMKIN, Assistant Director, and HILLARY STERN,
Attorney. Of counsel on the brief were MICHAEL J.
TIMINSKI, Deputy Assistant General Counsel, and Y. KEN
LEE, Attorney, Office of the General Counsel, United
States Department of Veterans Affairs, of Washington,
DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (GAJARSA, LINN, and MOORE, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

November 8, 2010
Date

/s/JanHorbaly
Jan Horbaly
Clerk