

NOTE: This disposition is nonprecedential.

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

JOSEPH V. FRANK,
Claimant-Appellant,

v.

ERIC K. SHINSEKI, Secretary of Veterans Affairs,
Respondent-Appellee.

2013-7047

Appeal from the United States Court of Appeals for
Veterans Claims in No. 10-4160, Judge William A. Moor-
man.

JUDGMENT

ANIELA K. SZYMANSKI, Bergmann & Moore, LLC, of
Bethesda, Maryland, argued for claimant-appellant. With
her on the brief were GLENN R. BERGMANN and BRYAN
ANDERSEN.

ERIC P. BRUSKIN, Trial Attorney, Commercial Litiga-
tion Branch, Civil Division, United States Department of
Justice, of Washington, DC, argued for respondent-
appellee. With him on the brief were STUART F. DELERY,
Acting Assistant Attorney General, JEANNE E. DAVIDSON,

Director, and MARTIN F. HOCKEY, JR., Assistant Director. Of counsel on the brief were DAVID J. BARRANS, Deputy Assistant General Counsel, and TRACEY PARKER WARREN, Attorney, United States Department of Veterans Affairs, of Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

December 5, 2013
Date

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court