

NOTE: This disposition is nonprecedential.

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

FRANK S. SMITH,
Claimant-Appellant,

v.

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

2013-7078

Appeal from the United States Court of Appeals for
Veterans Claims in No. 11-2714, Chief Judge Bruce E.
Kasold.

JUDGMENT

TRAVIS JAMES WEST, Solheim Billing & Grimmer,
S.C., of Madison, Wisconsin, argued for claimant-
appellant.

WILLIAM J. GRIMALDI, Trial Attorney, Commercial Lit-
igation Branch, Civil Division, United States Department
of Justice, of Washington, DC, argued for respondent-
appellee. On the brief were STUART F. DELERY, Assistant
Attorney General, JEANNE E. DAVIDSON, Director, SCOTT
D. AUSTIN, Assistant Director, and ERIC P. BRUSKIN, Trial

Attorney. Of counsel on the brief were DAVID J. BARRANS, Deputy Assistant General Counsel, and MARTIE ADELMAN, Attorney, United States Department of Veterans Affairs, of Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (O'MALLEY, WALLACH, and TARANTO, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

December 12, 2013
Date

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