

NOTE: This disposition is nonprecedential.

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

FRANK J. KELLOGG,
Claimant-Appellant

v.

**ROBERT A. MCDONALD, SECRETARY OF
VETERANS AFFAIRS,**
Respondent-Appellee

2015-7111

Appeal from the United States Court of Appeals for
Veterans Claims in No. 13-3457, Judge Mary J. Schoelen.

JUDGMENT

KENNETH M. CARPENTER, Law Offices of Carpenter
Chartered, Topeka, KS, argued for claimant-appellant.

ERIC PETER BRUSKIN, Commercial Litigation Branch,
Civil Division, United States Department of Justice,
argued for respondent-appellee. Also represented by
BENJAMIN C. MIZER, ROBERT E. KIRSCHMAN, JR., MARTIN
F. HOCKEY, JR.; Y. KEN LEE, MARTIE ADELMAN, Office of
General Counsel, United States Department of Veterans
Affairs, Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, SCHALL, and O'MALLEY, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

June 9, 2016
Date

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