

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

FREDDIE BUTTS, MARVIN O. JOHNSON,
Claimants-Appellees

v.

**ROBERT WILKIE, ACTING SECRETARY OF
VETERANS AFFAIRS,**
Respondent-Appellant

2017-1058, 2017-1509

Appeals from the United States Court of Appeals for
Veterans Claims in Nos. 10-1785, 14-3019, Senior Judge
Lawrence B. Hagel, Chief Judge Robert N. Davis.

JUDGMENT

ZACHARY STOLZ, Chisholm Chisholm & Kilpatrick,
Providence, RI, argued for claimant-appellee Freddie
Butts. Also represented by MEGAN MARIE ELLIS,
JENNA ZELLMER; BARBARA J. COOK, Cincinnati, OH.

KENNETH M. CARPENTER, Law Offices of Carpenter
Chartered, Topeka, KS, argued for claimant-appellee
Marvin O. Johnson.

AMANDA TANTUM, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent-appellant. Also represented by CHAD A. READLER, ROBERT E. KIRSCHMAN, JR., L. MISHA PREHEIM; Y. KEN LEE, BRANDON A. JONAS, 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, WALLACH, and CHEN, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

May 7, 2018
Date

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