

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

	)	
NATIONAL VETERANS LEGAL	)	
SERVICES PROGRAM, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 16-00745 (ESH)
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
	)	

**ORDER**

Before the Court are two motions filed by class member Don Kozich. Kozich’s interests as a class member are adequately represented by plaintiff’s counsel, thus precluding the need for another amicus brief or appearance by telephone. *Ryan v. Commodity Futures Trading Comm’n*, 125 F.3d 1062, 1064 (7th Cir. 1997) (“An amicus brief should normally be allowed when a party is not represented competently or is not represented at all, when the amicus has an interest in some other case that may be affected by the decision in the present case . . . or when the amicus has a unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.”). Nor will the Court permit Mr. Kozich to appear as Amicus in order to expand the class definition beyond that which this Court has already certified. *See Jin v. Ministry of State Sec.*, 557 F. Supp. 2d 131, 136 (D.D.C. 2008) (“District courts have inherent authority to appoint or deny amici [and] . . . [i]t is solely within the court’s discretion to determine ‘the fact, extent, and manner’ of the participation.”). For these reasons, it is hereby

**ORDERED** that movant’s Motion for Leave to File Amicus Curiae Qualifying

Complaint and Settlement and to Appear Telephonically at the Next Relevant Hearing, ECF No. 49, is **DENIED**; and it is further

**ORDERED** that movant's Motion for Clarification of September 13, 2017 Minute Order Granting Movants' Motions for Leave to File Briefs as Amicus Curiae, ECF No. 67, is **DENIED** as moot.

*/s/ Ellen Segal Huvelle*  
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ELLEN SEGAL HUVELLE  
United States District Judge

Date: October 17, 2017