

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

VICTOR ROSS,
Claimant-Appellant,

v.

**ERIC K. SHINSEKI, SECRETARY OF VETERANS
AFFAIRS,**
Respondent-Appellee.

2011-7025

Appeal from the United States Court of Appeals for
Veterans Claims in No. 09-963, Judge Alan G. Lance, Sr.

JUDGMENT

MATTHEW J. DOWD, Wiley Rein LLP, of Washington, DC, argued for the claimant-appellant. With him on the brief were ROBERT J. SCHEFFEL and ADRIENNE JOHNSON.

RENEE A. GERBER, Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent-appellee. With her on the brief were TONY WEST, Assistant Attorney General, JEANNE E. DAVIDSON, Director, and KIRK T. MANHARDT, Assistant Director. Of counsel on the brief was JONATHAN TAYLOR, Attorney, United States Department of Veterans Affairs, of Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LINN, DYK, and PROST, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

January 18, 2012
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk