

NOTE: This disposition is nonprecedential.

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

ROGER R. GRUEN,
Claimant-Appellant,

v.

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

2011-7203

Appeal from the United States Court of Appeals for
Veterans Claims in No. 09-3603, Judge Robert N. Davis.

JUDGMENT

MEREDITH L. BOYLAN, Venable LLP, of Washington,
DC, argued for claimant-appellant. With her on the brief
was MARTIN L. SAAD.

DANIEL B. VOLK, Trial Attorney, Commercial
Litigation Branch, Civil Division, United States
Department of Justice, of Washington, DC, argued for
respondent-appellee. With him on the brief were TONY
WEST, Assistant Attorney General, JEANNE E. DAVIDSON,
Director, and MARTIN F. HOCKEY, JR., Assistant Director.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (RADER, *Chief Judge*, LINN and O'Malley,
Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

May 14, 2012
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk