

NOTE: This order is nonprecedential.

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

CHARLES J. RAYBINE,
Claimant-Appellant

v.

**DENIS MCDONOUGH, SECRETARY OF
VETERANS AFFAIRS,**
Respondent-Appellee

2020-1218

Appeal from the United States Court of Appeals for
Veterans Claims in No. 18-6117, Judge Joseph L. Falvey,
Jr., Judge Joseph L. Toth, Judge William S. Greenberg.

ON MOTION

PER CURIAM.¹

O R D E R

¹ Circuit Judge Newman did not participate.

Upon consideration of the Secretary's unopposed motion to remand the case to the United States Court of Appeals for Veterans Claims,

IT IS ORDERED THAT:

The motion is granted. The case is remanded to the United States Court of Appeals for Veterans Claims to reconsider its decision in light of *Taylor v. McDonough*, 71 F.4th 909 (Fed. Cir. 2023) (en banc), which held

that when a veteran has been determined to be entitled to benefits for one or more disabilities connected to participation in the Edgewood program at issue, the required effective date of such benefits is the date that the veteran would have had in the absence of the challenged government conduct—imposition of the secrecy oath with no VA route for claim presentation and proof to vindicate the benefits entitlement.

Taylor, 71 F.4th at 946.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

September 27, 2023
Date