

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT

DEE FULCHER, GIULIANO SILVA,)
and TRANSGENDER AMERICAN )
VETERANS ASSOCIATION, )

Petitioners, )

17-1460

v. )

SECRETARY OF VETERANS )
AFFAIRS, )

Respondent. )

RESPONDENT’S UNOPPOSED
MOTION FOR AN EXTENSION OF TIME

Pursuant to Rule 26(b) of the Federal Circuit Rules, respondent, the Secretary of Veterans Affairs, respectfully requests an extension of time of 60 days to and including September 29, 2017, within which to file respondent’s brief.

Respondent’s brief is currently due on July 31, 2017. This is respondent’s first request for an extension of time. Petitioners, Dee Fulcher, Giuliano Silva, and Transgender American Veterans Association, have indicated, through their attorney, that they do not oppose this motion.

Due to the important issues raised in the petition and the seven amicus briefs filed in support of petitioners, the attorney of record requires additional time to coordinate with counsel for the Department of Veterans Affairs and prepare

respondent's brief. Thereafter, the attorney of record will need additional time to complete the internal review process at the Department of Justice.

For these reasons, respondent respectfully requests that the Court grant its unopposed motion for a 60-day extension of time, to and including September 29, 2017, within which to file respondent's brief.

Respectfully submitted,

CHAD A. READLER  
Acting Assistant Attorney General

ROBERT E. KIRSCHMAN, JR.  
Director

/s/Allison Kidd-Miller  
ALLISON KIDD-MILLER  
Assistant Director

/s/Eric P. Bruskin  
ERIC P. BRUSKIN  
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July 25, 2017

Attorneys for Respondent-Appellee

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AFFAIRS, ) )

Respondent. ) )

**ORDER**

Upon consideration of Respondent's Unopposed Motion For An Extension  
Of Time, it is

ORDERED that the motion be GRANTED; Respondent shall file its brief no  
later than September 29, 2017.

\_\_\_\_\_  
For the Court

Dated: \_\_\_\_\_

cc: Eric P. Bruskin  
Paul R. Wolfson

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Respondent. ) )

DECLARATION OF ERIC P. BRUSKIN

In support of Respondent's Unopposed Motion for an Extension of Time,  
Eric. P Bruskin declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am the primary attorney assigned to this appeal for the respondent.
2. I am working with counsel from the Department of Veterans Affairs to respond to petitioner's brief.
3. Due to the important issues presented in the petition and the seven *amicus* briefs filed in support of petitioners, I require additional time to prepare respondent's brief.
4. Thereafter, I will need additional time to complete the internal review process at the Department of Justice.

DECLARATION

I certify that the foregoing is true and correct to the best of my knowledge and belief.

/s/ Eric P. Bruskin  
Eric P. Bruskin

Executed: July 25, 2017

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on this 25th day of July, 2017, a copy of the foregoing Respondent's Unopposed Motion For An Extension Of Time was filed electronically. This filing was served electronically to all parties by operation of the Court's electronic filing system.

/s/ Eric P. Bruskin