

**IN THE UNITED STATES COURT
OF APPEALS FOR VETERANS CLAIMS**

GORDON A. GRAHAM,)	
)	
Petitioner,)	
)	
v.)	Vet. App. No. 15-0112
)	
ROBERT A. McDONALD,)	
Secretary of Veterans Affairs,)	
)	
Respondent.)	

**RESPONDENT'S RESPONSE TO PETITION
FOR EXTRAORDINARY RELIEF**

Pursuant to U.S. Vet. App. Rule 21(b) and an Order of the Court dated January 29, 2015, Respondent, Robert A. McDonald, Secretary of Veterans Affairs (Secretary), hereby responds to the petition for extraordinary relief in the nature of mandamus and advises the Court of action undertaken by the Seattle VA Regional Office (RO) in the matter of various claims filed by Petitioner. For the reasons set forth below, the Court should deny the petition for extraordinary relief.

Summary of Pertinent Facts

Before the Court, Petitioner submitted a petition for a writ of mandamus asking for relief from the Court as follows:

1. Award of a particular rating for a pending adjudication of the rating for service-connected Porphyria Cutanea Tarda (PCT) with an effective date of March 31, 1994.
2. Award of Special Monthly Compensation "S" (SMC-S) at the housebound rate effective March 31, 1994.

3. Either award benefits or issue a decision on claims for entitlement to service connection for Cryoglobulinemia and Fibromyalgia.
4. Either award benefits or issue a Supplemental Statement of the Case (SSOC) for appeal of denial of entitlement to payment for a greenhouse pursuant to a VA Vocational Rehabilitation and Employment (VR&E) Independent Living Program (ILP) claim.
5. Convert his paper claims file to an electronic claims file.
6. Mandate that a particular Veterans Law Judge (VLJ) have no further involvement in the adjudication of his various claims.

(See Petition at 2-3).

On February 17, 2015, a rating decision was issued and was mailed on February 19, 2015. (See Exhibit 1 (Declaration of the Seattle RO Veterans Service Center Manager (VSCM)), Points X, XI; Petitioner's Exhibit G, filed February 23, 2015). That decision granted entitlement to an earlier effective date to March 31, 1994, for entitlement to service connection for PCT and granted a separate 10 percent rating for skin involvement of PCT effective that same date. (See Exhibit 1, Point X; Petitioner's Exhibit G). The RO also granted an increased evaluation for PCT from 40 percent to 60 percent effective March 31, 1994. (See Exhibit 1, Points X, XII; Petitioner's Exhibit H, filed February 25, 2015). Further, the RO granted entitlement to SMC based on Housebound criteria effective March 31, 1994. (See Exhibit 1, Point X; Petitioner's Exhibits G, H). A retroactive payment was sent to Appellant via direct deposit in the amount of \$69,341.00. (Exhibit 1, Point XI).

On February 17, 2015, a request was made by the RO for VA examinations for pending claims of entitlement to service connection for cryoglobulinemia/arteriosclerosis and fibromyalgia and a request for expeditious treatment regarding the results of the exams was sent on February 27, 2015.

(Exhibit 1, Point XIX; Exhibit 2). On February 20, 2015, Petitioner was informed that the examinations have been requested and that he would be contacted regarding scheduling of the examinations. (Exhibit 3).

On February 27, 2015, Petitioner's appeal on the VRE matter was certified to the Board after the RO determined that there was no need to issue a Supplemental Statement of the Case. (Exhibit 1, Point XVII; Exhibit 4). Petitioner requested a Travel Board hearing in his Form 9 and the request is being actively reviewed by the Travel Board coordinator and contact with Petitioner will be contacted about the nature and scheduling of the requested hearing. (Exhibit 1, Point XVII).

On February 27, 2015, notification was sent to Petitioner's representative confirming that he is recognized as the representative and that the RO's databases have been updated accordingly. (Exhibit 1, Point XXI; Exhibit 5). The VSCM indicates that "[a]ny future correspondence being sent to Mr. Graham will also be sent to his representative." (Exhibit 1, Point XXI). Further, the VSCM indicates that, based on Petitioner's request to transfer his claims file into the electronic claims file program, "When the file is eligible for scanning, the file will be sent." (Exhibit 1, Point XX).

Argument

This Court has held that, in addition to its appellate jurisdiction, it possesses jurisdiction to issue extraordinary writs to officials of VA. See *Erspamer v. Derwinski*, 1 Vet.App. 3, 7 (1990). "The remedy of mandamus is a drastic one, to be invoked only in extraordinary situations." *Kerr v. United States District Court*, 426 U.S. 394, 402 (1976). Before a court may issue a writ, petitioners must demonstrate that: (1) they have a clear and indisputable right to a writ and (2) they lack adequate alternative means to obtain the relief they seek. *Erspamer v. Derwinski*, 1 Vet.App. 3, 9 (1990).

The facts do not evidence a clear and indisputable right to the writ. Multiple issues remain in active status, but a recent decision adjudicated Petitioner's PCT and SMC-S claims (See Exhibit 1, Point X; Petitioner's Exhibits G, H). The recent decision resulted in a retroactive payment of \$69,341.00 being sent to Petitioner. (See Exhibit 1, Point XI). Further, insofar as he disagreed with that decision, in part, Petitioner has now filed an Appeal to the Board of Veterans' Appeals. (See Petitioner's Exhibit I, Submitted February 25, 2015; Petitioner's Amended Exhibit I, Submitted February 28, 2015). Accordingly, Petitioner has not established VA's refusal to act with respect to these claims and the petition should be denied as to requests for relief #1 and #2.

With respect to claims of entitlement to service connection for cryoglobulinemia/arteriosclerosis and fibromyalgia, necessary VA medical examinations have now been ordered with respect to those claims and Petitioner has been informed that the examinations are to be scheduled. (Exhibit 1, Point XIX; Exhibit 2; Exhibit 3). Accordingly, Petitioner has not established VA's refusal to act with respect to these claims and the petition should be denied as to request for relief #3.

Petitioner's VR&E ILP claim for a greenhouse has been certified to the Board. (Exhibit 1, Point XVII; Exhibit 4). Petitioner has therefore not established VA's refusal to act with respect to this appeal and the petition should be denied as to request for relief #4.

Regarding Petitioner's request for relief #5, he has not established a clear and indisputable entitlement to having his VA paper claims file converted to an electronic file. Accordingly, the petition should be denied as to that request. See *Erspamer, supra*. However, as noted above, the VSCM has indicated, "When the file is eligible for scanning, the file will be sent." (Exhibit 1, Point XX).

Similarly, Petitioner has not established a clear and indisputable right to preclude a particular Board member from future consideration of his appeals, his request for relief #6. Simply put, this request for relief is not supported by any citation to authority that entitles him to such an action and, accordingly, the Secretary requests that the Court deny this request. See *Erspamer, supra*.

Finally, in his filings with the Court, counsel for Petitioner has correctly noted that certain documents sent to Petitioner have not also been sent to counsel. The Secretary apologizes for this error. On February 27, 2015, the RO sent a letter to counsel confirming recognition of him as current counsel and noting that the RO's databases have been updated to that effect. (See Exhibit 1, Point XXI; Exhibit 5). Further, the VSCM has indicated that future correspondence being sent to Petitioner will also be sent to his representative. (Exhibit 1, Point XXI). While correction of this oversight by the agency was not a formal request for relief included in the petition, the Secretary has now corrected this problem and future correspondence is to be properly mailed to counsel. *Id.*

Because Petitioner has not shown that the Secretary has refused to act in this case and, as to certain requested actions, not established a clear and indisputable right to relief, there is no need for the Court to inject itself into the Department's adjudicative process. *Erspamer*, 1 Vet.App. at 9. Despite the delay that has occurred in addressing Petitioner's claims, there is currently no showing that reliance upon the adjudication and appellate review process will prove inadequate. The facts thus do not indicate that the potential jurisdiction of the Court will be frustrated. *United States v. Black*, 128 U.S. 40, 48 (1888) (The Court should refuse invoke extraordinary powers where it is not shown that an official has refused to act at all). This Court has made clear that the "mere passage of time in reviewing a matter does not necessarily constitute the extraordinary circumstances requiring this Court to invoke its mandamus power."

Erspamer, supra. Petitioner has not shown that the delay he complains of is "so extraordinary, given the demands and resources of the Secretary, that the delay amounts to an arbitrary refusal to act, and not the product of a burdened system." See *Costanza v. West*, 12 Vet.App. 133, 134 (1999). The facts here clearly do not present extraordinary circumstances. Accordingly, Petitioner's petition should be denied as not having met the criteria for the grant of such a petition, as discussed above.

WHEREFORE, Respondent, Secretary of Veterans Affairs, hereby requests that the Court deny the petition for extraordinary relief.

Respectfully submitted,

LEIGH A. BRADLEY
General Counsel

MARY ANN FLYNN
Assistant General Counsel

/s/ Joan E. Moriarty
JOAN E. MORIARTY
Deputy Assistant General Counsel

/s/ Mark M. McNabb
MARK M. McNABB
Senior Appellate Attorney
Office of the General Counsel (027C)
U.S. Dept. of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420
(202) 632-7109

Attorneys for Respondent

EXHIBIT

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Department of Veterans Affairs
Office of General Counsel
Washington DC 20420

DECLARATION OF AYNMARIE LOFGREN

I, Ayn-Marie Lofgren, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury the following:

- I. I am the Veteran Service Center Manager. This declaration is in response to the U.S. Court of Appeals for Veterans Claims January 30, 2015, Order instructing the Secretary to answer the petition for extraordinary relief. The facts attested to herein are based on my personal knowledge.
- II. On November 21, 2013 the Board of Veterans Appeals remanded the issue of entitlement to earlier effective date of March 31, 1994 for the grant of service connection for Hepatitis C.
- III. In the remand, the Board of Veterans Appeals addressed the April 2013 order granting the Joint Motion, vacating in part the Board's May 2012 decision and remanding the issue of PCT for compliance with the terms of the Joint Motion. The Statement of the Case (SOC) issued on January 5, 1995 stated that the VA was reviewing the additional records the Veteran submitted with the appeal and would be notified of the decision as soon as it was reached. The SOC decision was not in compliance with 38 C.F.R § 19.29 as it was unclear whether further adjudication was to take place with respect to all claims or if the denial of the claim was final.
- IV. On January 23, 2014, the remand decision was processed by the Appeals Management Center and notification was sent to Mr. Graham regarding the grant of the earlier effective date for Hepatitis C.
- V. On February 13, 2014 the claims folder was received by the Seattle Regional Office (RO).
- VI. On April 30, 2014 the Seattle RO received a Notice of Disagreement pertaining to our September 9, 2013 rating decision in which it was decided no revision was warranted in the evaluation of PCT. In addition, Mr. Graham claimed Clear and Unmistakable Errors on the October 3, 2008 decision granting service connection for the PCT and the subsequent DRO decision of March 29, 2010.
- VII. On October 3, 2014, the Appeals Coach contacted Mr. Graham regarding his appeal. Mr. Graham expressed his objective was to obtain an increased evaluation of 100 percent for PCT effective March 31, 1994. He also stated this would entitle him to Special Monthly Compensation Housebound (level S) effective March 31, 1994. He was advised a Decision Review Officer would be reviewing his case and, based on evidence; determine what actions were needed and/or what decision would be rendered.

- VIII. On October 6, 2014 a SOC was issued. The SOC stated no revision was warranted in the evaluations of PCT as a CUE was not present.
- IX. On December 15, 2014 the scanning vendor uploaded the following documents:
1. 17 page statements in lieu of Form 9 from the Mr. Graham received on October 27, 2014 by the scanning vendor.
 2. VA Form 9 "Appeal to Board of Veterans' Appeals" received on October 27, 2014 by the scanning vendor.
 3. VA Form 9 "Appeal to Board of Veterans' Appeals" received on October 29, 2014 by the scanning vendor.
- X. On February 17, 2015 a rating decision was completed and decided the following:
1. Entitlement to an earlier effective date for service connection for PCT effective March 31, 1994.
 2. Increased evaluation from 40 percent to 60 percent effective March 31, 1994.
 3. Entitlement to Special Monthly Compensation based on Housebound criteria effective March 31, 1994.
 4. Entitlement to a 10 percent evaluation based upon multiple, noncompensable, service-connected disabilities is denied.
- XI. The rating decision was adjudicated on February 19, 2015. A retroactive payment was sent to Mr. Graham via direct deposit in the amount of \$69,341.00
- XII. On February 17, 2015 a Supplemental Statement of the Case was sent regarding a higher evaluation for PCT.
- XIII. As of February 27, 2015, the Department of Veterans Affairs is awaiting expiration of the 30 day timeframe before the next step can take place. Upon no further receipt of documentation or evidence, the appeal can be moved to the certification phase and transferred to the Board's jurisdiction.
- XIV. On November 23, 2012 Mr. Graham filed a NOD regarding the decision completed by Vocational Rehabilitation and Employment (VR&E), denying the provision of a greenhouse under Chapter 31, Title 38 United States Code, VR&E Independent Living Program.
- XV. In response to the Statement of Case, Mr. Graham submitted a VA Form 9 received by VA on April 19, 2013.
- XVI. On May 7, 2014 a Supplemental Statement of the Case was issued.
- XVII. On February 27, 2015 Mr. Graham's VRE Appeal was certified as there was no need to issue a Supplemental Statement of the Case. Based on his Form 9, Mr. Graham requested to have a Travel board hearing with a BVA Judge. The request is actively being reviewed by the Travel Board coordinator. Mr. Graham will receive contact via phone in the future as to the next available Travel Board and whether or not he is open to having a Video Board hearing in lieu of a Travel Board as Video Board hearings occur more often throughout the year.

- XVIII. Mr. Graham has a claim pending for service connection for cryoglobulinemia/arteriosclerosis and fibromyalgia which was received by the VA on October 2, 2012.
- XIX. On February 17, 2015 a request was made for exams regarding these conditions. The exams are scheduled to occur on March 6, 2015. A request for expeditious treatment regarding the results of the exams was submitted to the Point of Contact of QTC (3rd party contractor) on February 27, 2015.
- XX. Mr. Graham has requested to have his claim folder transferred into the VBMS program. When the file is eligible for scanning, the file will be sent.
- XXI. Mr. Graham's current representative on file is Robert P. Walsh, Esq. Located at Two West Michigan Avenue Suite 301 Battle Creek, MI 49017. Notification confirming this representation was sent on February 27, 2015. Any future correspondence being sent to Mr. Graham will also be sent to his representative.

I certify, under penalty of perjury under the laws of the United States, that the foregoing is true and correct.

Executed on February 27, 2015



EXHIBIT

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Exam Request for Document ID 346C500578

Station: 346
Home Station: 346
Status: Approved

As of 2/19/2015

Veteran Information

SSN: [REDACTED]
Claim Number:
Name: Graham, Gordon
Address: 14910 125th St. KP N

Gig Harbor, WA
98329
Phone: (253) 549-6111
Alternate Phone:
E-Mail:

Gender: Male
Date of Birth: 3/3/1951
Branch of Service: Air Force
Entry On Duty: 10/1/1969
Release Active Duty: 2/21/1973
Active Duty: False
VSO: 000:000 - None

Exam Request Details

Request Type: Exam
Request
Date of Claim: 8/14/2012
Claim Type: Appeal
Benefit Program: Comp
Special Program: None
Special Program Site: N/A
Joint Exam: False
Nehmer Related: False
Send Claim File To Contractor: No

Comment:

Physician Instructions:
This exam request is for an appeal.

Contractor Information

Contractor: 061642940:QTC MED SVCS
INC
Date of Exam Request: 2/17/2015
Date Exam Submitted:
Location Submitted: Not Sent

Claimed Compensation Conditions

- Cryoglobulinemia
- fibromyalgia

Claimed Pension Conditions

None

Diagnostic Codes

None

Worksheets

Body System: CARDIOVASCULAR
DBQ/AMIE Worksheet: 8035:DBQ ARTERY AND VEIN CONDITIONS, VASCULAR DISEASE
Specialist Required: False
Stressor Required: False
Vendor Added: False
Vendor Notes:
Quality Assessment: N/A
Issue Resolved: False
Date Issue Resolved: N/A
Reasons:
Physician Instructions:

Body System: NEUROLOGIC
DBQ/AMIE Worksheet: 15039:DBQ FIBROMYALGIA
Specialist Required: False
Stressor Required: False
Vendor Added: False
Vendor Notes:
Quality Assessment: N/A
Issue Resolved: False
Date Issue Resolved: N/A
Reasons:
Physician Instructions:

Medical Opinions

None

EXHIBIT

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DEPARTMENT OF VETERANS AFFAIRS

February 20, 2015

GORDON ALEXANDER GRAHAM
14910 125TH STREET
KP N
GIG HARBOR WA 98329

In reply, refer to:
346/DM
File Number: [REDACTED]
GORDON GRAHAM

Dear Mr. GORDON ALEXANDER GRAHAM:

We are working on your claim.

Important Information

- We have requested an examination through a private medical facility in order to determine the current level of your disability. The private facility will soon advise you of the date, time, and place of this examination. This notification will be in writing, by telephone, or perhaps both. If you can't keep the appointment or want to be re-scheduled, contact the medical facility on the appointment notice as soon as possible.

When a claimant, without good cause, fails to report for an examination or reexamination, the claim shall be rated based on the evidence of record, or even denied. Examples of good cause include, but are not limited to, illness or hospitalization, death of a family member, etc.

If You Have Questions or Need Assistance

If you have any questions or need assistance with this claim, you may contact us by telephone, e-mail, or letter.

File Number: [REDACTED]
GRAHAM, GORDON A

If you	Here is what to do.
Telephone	Call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the Federal number is 711.
Use the Internet	Send electronic inquiries through the Internet at https://iris.va.gov .
Write	VA now uses a centralized mail system. For all written communications, put your full name and VA file number on the letter. Please mail or fax all written correspondence to the appropriate address listed on the attached <i>Where to Send Your Written Correspondence</i> chart, below.

In all cases, be sure to refer to your VA file number [REDACTED].

If you are looking for general information about benefits and eligibility, you should visit our web site at <https://www.va.gov>, or search the Frequently Asked Questions (FAQs) at <https://iris.va.gov>.

What is eBenefits?

eBenefits provides electronic resources in a self-service environment to Servicemembers, Veterans, and their families. Use of these resources often helps us serve you faster! Through the eBenefits website you can:

- Submit claims for benefits and/or upload documents directly to the VA
- Request to add or change your dependents
- Update your contact and direct deposit information and view payment history
- Request a Veterans Service Officer to represent you
- Track the status of your claim or appeal
- Obtain verification of military service, civil service preference, or VA benefits
- And much more!

Enrolling in eBenefits is easy. Just visit www.eBenefits.va.gov for more information. If you submit a claim in the future, consider filing through eBenefits. Filing electronically, especially if you participate in our fully developed claim program, may result in a faster decision than if you submit your claim through the mail.

We have no record of you appointing a service organization or representative to assist you with your claim. You can contact us for a listing of the recognized Veterans' Service Organizations and/or representatives. Veterans' Service Organizations, which are recognized or approved to provide services to the Veteran community, can also help you with any questions.

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File Number: [REDACTED]
GRAHAM, GORDON A

We look forward to resolving your claim in a fair and timely manner.

Thank you for your service,

Regional Office Director


Enclosure(s): Where to Send Your Written Correspondence

Where to Send Your Written Correspondence		
Location of Residence		Address to Send all Written Correspondence
Alabama Connecticut Delaware District of Columbia Florida Georgia Indiana Kentucky Maine Maryland Massachusetts Michigan Mississippi New Hampshire New Jersey New York North Carolina Ohio Pennsylvania	Rhode Island South Carolina Tennessee Vermont Virginia West Virginia Puerto Rico Europe Asia Australia Africa Canada Palau Marshall Islands The U.S. Virgin Islands Federated States of Micronesia	Department Of Veterans Affairs Evidence Intake Center PO BOX 4444 Newnan, GA 30271-0020 Or fax your information to: Toll Free: 844-531-7818 DID: 248-524-4260
Alaska Arizona Arkansas California Colorado Louisiana Hawaii Idaho Illinois Iowa Kansas Oklahoma Oregon Minnesota Missouri Montana Nebraska Nevada	New Mexico North Dakota South Dakota Texas Utah Washington Wisconsin Wyoming Mexico Central America South America The Caribbean The Philippines American Samoa Guam Northern Mariana Islands	Department Of Veterans Affairs Evidence Intake Center PO BOX 4444 Janesville WI 53547-4444 Or fax your information to: Toll Free: 844-822-5246 DID: 608-373-6690

EXHIBIT

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CERTIFICATION OF APPEAL

1A. NAME OF APPELLANT <i>(If other than veteran)</i>		1B. RELATIONSHIP TO VETERAN	2. FILE NO. <div style="background-color: black; width: 100px; height: 15px; margin: 5px 0;"></div>
3. LAST NAME - FIRST NAME - MIDDLE NAME OF VETERAN Graham, Gordon A		4. INSURANCE FILE NO. OR LOAN NO. <i>(If pertinent)</i>	
THE APPEAL IS FOR <i>(State the question(s) at issue clearly and concisely.)</i>			
5A. SERVICE CONNECTION FOR		5B. DATE OF NOTIFICATION OF ACTION APPEALED	
6A. INCREASED RATING FOR		6B. DATE OF NOTIFICATION OF ACTION APPEALED	
7A. OTHER Denial of provision of a greenhouse under Ch 31, 38 USC, VR&E Independent Living Program		7B. DATE OF NOTIFICATION OF ACTION APPEALED	
8A. APPELLANT REPRESENTED IN THIS APPEAL BY <i>(Name of organization, attorney or agent)</i>			
8B. ONE OF THE FOLLOWING IS ON FILE AS AUTHORITY FOR RECOGNIZING SUCH REPRESENTATIVE IN THIS APPEAL <input type="checkbox"/> POWER OF ATTORNEY <i>(VA Form 21-22 or VA Form 21-22a)</i> <input type="checkbox"/> CERTIFICATION THAT VALID POWER OF ATTORNEY IS IN ANOTHER VA FILE <i>(If so, specify file)</i>		8C. IF AGENT DESIGNATED, IS HE/SHE ON ACCREDITED LIST? <input type="checkbox"/> YES <input type="checkbox"/> NO	
9A. IF REPRESENTATIVE IS SERVICE ORGANIZATION, IS VA FORM 646, OR EQUIVALENT, OF RECORD? <input type="checkbox"/> YES <input type="checkbox"/> NO		9B. IF VA FORM 646 IS NOT OF RECORD, EXPLAIN	
10A. WAS HEARING REQUESTED? <input type="checkbox"/> YES <input type="checkbox"/> NO		10B. IF HELD, IS TRANSCRIPT IN FILE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
10C. IF REQUESTED BUT NOT HELD, EXPLAIN			
11A. ARE CONTESTED CLAIMS PROCEDURES APPLICABLE IN THIS CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <i>(If "YES," complete item 11B).</i>		11B. HAVE THE REQUIREMENTS OF 38 U.S.C. 7105a BEEN FOLLOWED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
12A. DATE STATEMENT OF THE CASE FURNISHED		12B. SUPPLEMENTAL STATEMENT OF THE CASE <input checked="" type="checkbox"/> REQUIRED AND FURNISHED <input type="checkbox"/> NOT REQUIRED	
13. RECORDS TO BE FORWARDED TO BOARD OF VETERANS' APPEALS <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input checked="" type="checkbox"/> CF OR XCF</div> <div style="width: 50%;"><input checked="" type="checkbox"/> R&E F</div> <div style="width: 50%;"><input type="checkbox"/> LOAN GUAR. F</div> <div style="width: 50%;"><input type="checkbox"/> OUTPATIENT F</div> <div style="width: 50%;"><input type="checkbox"/> X-RAYS</div> <div style="width: 50%;"><input type="checkbox"/> INACTIVE CF</div> <div style="width: 50%;"><input type="checkbox"/> TRAINING SUB-F</div> <div style="width: 50%;"><input type="checkbox"/> INSURANCE F</div> <div style="width: 50%;"><input type="checkbox"/> HOSPITAL COR.</div> <div style="width: 50%;"><input type="checkbox"/> SLIDES</div> <div style="width: 50%;"><input type="checkbox"/> DEP. ED. F <i>(Ch. 35)</i></div> <div style="width: 50%;"><input type="checkbox"/> DENTAL F</div> <div style="width: 50%;"><input type="checkbox"/> CLINICAL REC.</div> <div style="width: 50%;"><input type="checkbox"/> TISSUE BLOCKS</div> <div style="width: 50%;"><input type="checkbox"/> OTHER <i>(Specify)</i></div> </div>			
14. REMARKS <i>(Continue on reverse)</i>			
CERTIFICATION: It is hereby certified that all material evidence is of record, that all contentions advanced by and on behalf of the appellant have been considered under all pertinent laws, and the issues determined.			
15. NAME AND LOCATION OF CERTIFYING OFFICE Seattle RO		16. ORGANIZATIONAL ELEMENT CERTIFYING APPEAL VR & E	
17A. SIGNATURE OF CERTIFYING OFFICIAL C. Mackey-Rivas 		17B. TITLE Coach	17C. DATE 3/27/15
18A. SIGNATURE OF MEDICAL MEMBER <i>(Insurance use only)</i>		18B. TITLE	18C. DATE

EXHIBIT

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DEPARTMENT OF VETERANS AFFAIRS

ROBERT WALSH
2 MICHIGAN AVE WEST
SUITE 301
BATTLE CREEK, MI 49017

In Reply Refer To: 346/AAFC/PS


GRAHAM, Gordon Alexander

Dear Mr. Walsh:

This letter acknowledges receipt of your updated VA Form 21-22a, *Appointment of Individual as Claimant's Representative*, and a fee agreement between you and veteran Gordon Graham. We have updated our databases and Mr. Graham's file to reflect your representation.

Please mail or fax all responses to the appropriate address listed on the attached *Where to Send Your Written Correspondence* chart and the Office of General Counsel of any material change in the representational relationship or in the fee agreement. Correspondence to the Office of General Counsel should be sent to the following address: Office of the General Counsel (022D), 810 Vermont Avenue, NW, Washington, DC 20420. Please include your client's name and VA claim number on any correspondence to VA.

If you have further questions regarding the agent/attorney fee coordinators to contact at our office, visit <http://www.vba.va.gov/bln/21/afclist.xls>. For general questions related to agent/attorney representation for VA claims and appeals, please refer to the following website: <http://www.va.gov/ogc/accreditation.asp>.

Sincerely yours,

R.O. Director
VA Regional Office

Enclosures: Copy, Acknowledged VA Form 21-22a
Where to Send Your Written Correspondence


Graham, Gordon Alexander

Where to Send Your Written Correspondence		
Location of Residence		Address to Send all Written Correspondence
Alabama	Ohio	Department Of Veterans Affairs Evidence Intake Center PO BOX 4444 Newnan, GA 30271-0020 Or fax your information to: Toll Free: 844-531-7818 Local: 248-524-4260
Connecticut	Pennsylvania	
Delaware	Rhode Island	
District of Columbia	South Carolina	
Florida	Tennessee	
Georgia	Vermont	
Indiana	Virginia	
Kentucky	West Virginia	
Maine	Puerto Rico	
Maryland	Europe	
Massachusetts	Asia	
Michigan	Australia	
Mississippi	Africa	
New Hampshire	Palau	
New Jersey	Marshall Islands	
New York	Federated States of	
North Carolina	Micronesia	
Alaska	South Dakota	Department Of Veterans Affairs Evidence Intake Center PO BOX 4444 Janesville WI 53547-4444 Or fax your information to: Toll Free: 844-822-5246 Local: 608-373-6690
Arizona	Texas	
Arkansas	Utah	
California	Washington	
Colorado	Wisconsin	
Louisiana	Wyoming	
Hawaii	Canada	
Idaho	Mexico	
Illinois	Central America	
Iowa	South America	
Kansas	The Caribbean	
Oklahoma	The U.S. Virgin Islands	
Oregon	The Philippines	
Minnesota	American Samoa	
Missouri	Guam	
Montana	Northern Mariana Islands	
Nebraska	U.S. Virgin Islands	
Nevada		
New Mexico		
North Dakota		