

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL VETERANS LEGAL
SERVICES, et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA

Defendant.

Civil Action No. 16-0745 (ESH)

**DEFENDANT’S MOTION TO CERTIFY THE
COURT’S ORDERS OF DECEMBER 5, 2016, AND MARCH 31, 2018, FOR
INTERLOCUTORY APPEAL AND TO STAY PROCEEDINGS PENDING APPEAL**

Pursuant to 28 U.S.C. § 1292(b), Defendant respectfully moves the Court for an order certifying for interlocutory appeal the Court’s December 5, 2016 Order denying Defendant’s Motion to Dismiss or, in the Alternative, for Summary Judgment (ECF No. 24) and the Court’s March 31, 2018 Order granting in part and denying in part Defendant’s Motion for Summary Judgment (ECF No. 88). As set forth in the accompanying memorandum, each of these Orders involves controlling issues of law as to which there is substantial ground for difference of opinion and an immediate appeal from the orders may materially advance the ultimate termination of the litigation.

Additionally, Defendant respectfully moves the Court to stay the proceedings in this Court pending appeal.

July 13, 2018

Respectfully submitted,

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