

Axinn Secures Remand for Veteran Before U.S. Court of Appeals for Veterans Claims

April 25, 2024

ATTORNEYS

Krause, Eric

Sano, Jeannine

Wang, Don

PRACTICE AREAS

Antitrust

Intellectual Property

Litigation

On behalf of pro bono client Delores Harrison, the surviving spouse of U.S. Navy Veteran Jerry Harrison, Axinn obtained a remand of the decision by the Board of Veteran's Appeals ("Board") from the U.S. Court of Appeals for Veterans Claims. This pro bono matter was referred to Axinn by The Veterans Consortium.

On September 27, 2022, the Board had denied Mr. Harrison's service-connected disability claim and compensation claim under 38 U.S.C. § 1151 relating to various eye disabilities. After the Rule 33 Staff Conference failed to resolve the matter, the Axinn team, including Don Z. Wang, Eric Krause, and Jeannine Sano, filed an Appellant's Brief on September 25, 2023, detailing the errors committed by the Board in denying the Veteran's service connection claim and his compensation claim under 38 U.S.C. § 1151 for open angle glaucoma, retinal detachment, and cataract (eye disability) and requesting the Court to vacate and remand the Board's decision. The U.S. Department of Veterans Affairs thereafter agreed to a joint motion to vacate and remand the Board decision on both claims, and the order granting the motion and mandate issued on February 1, 2024.