

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 98-1491

SHIRLEY D. WILLIAMS,

APPELLANT,

v.

TOGO D. WEST, JR.,  
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before NEBEKER, *Chief Judge*, and KRAMER, FARLEY,  
HOLDAWAY, IVERS, STEINBERG, and GREENE, *Judges*.

**ORDER**

Pursuant to this Court's invitation in a June 6, 2000, order, counsel for the plaintiffs in a class action, of which appellant is a member, in the United States District Court for the Northern District of California, has filed what is styled as an "Amicus Curiae Brief of Counsel for the Certified Plaintiff class in *Nehmer v. U.S. Veterans Administration*." That "Brief" does not address the merits of this case, but rather urges this Court to stay further proceedings to await the appellant's exhaustion of her remedies in the class action. A question arises whether it would be appropriate for the Court to accept the "Brief" for filing. *See* Rule 29 and the incorporated provisions of Rule 28 of the Court's RULES OF PRACTICE AND PROCEDURE. An additional question is presented: Whether counsel, as amicus, has standing to request a stay of proceeding.

The Court notes that neither the appellant nor the Secretary has responded to amicus' request for stay.

On consideration of the foregoing, the parties, within 15 days of the date of this order, are requested to file a response to amicus' request for stay, and in their responses to address the above questions.

DATED: July 21, 2000

PER CURIAM.