

Gang & Associates Present Oral Argument in the US Court of Appeals for Veterans Claims

The case presents an opportunity to address the question of when a Reservist enters "full-time duty status" during training.

UNITED STATES, March 15, 2022 /EINPresswire.com/ -- [Attorneys](#) Gideon Miller and Eric Gang of the law firm of [Gang & Associates](#) presented oral argument today before the U.S. Court of Appeals for Veterans Claims in Washington, D.C. The case of *Watkins v. McDonough*, Vet. App. No. 20-5612, presents several issues of wide-ranging import for the veterans' community. Specifically, the case presents the Appeals Court with an opportunity to address the question of when a service member enters "duty status" for the purposes of full-time duty in the armed forces performed by Reserves for training purposes. The case also raises the question of how the U.S. Supreme Court's holding in *Carr v. Saul* impacts the doctrine of issue exhaustion in the V.A. context. The attorneys at Gang & Associates argued that their client's arguments are not precluded based on the doctrine of issue exhaustion and that the holding in *United States v. Cline*, 29 M.J. 83 (C.M.A. 1989) should be adopted into the V.A. cannon and that duty status begins at 1 minute after midnight on the day the service member is to report for duty.



The Court considered the arguments of counsel and will issue a decision in due course. The decision could impact Reserve members particularly and result in a bright-line rule as to when they would be eligible for V.A. benefits should they become ill or injured on the day they are to report to duty.

About Gang & Associates

We are a premier Veteran Disability Law Firm that has represented more than 1,000 appeals at the U.S. Court of Appeals for Veterans Claims and has recovered millions of dollars on behalf of

disabled veterans. Gang & Associates maintains a singular focus on veterans' benefits issues. We represent U.S. veterans who have diminished work capacity due to injuries and medical conditions resulting from their service, with a particular focus on PTSD and TDIU matters. Specializing in complex cases, we serve clientele living anywhere in the world.

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