

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

MISC. NO. 8-06

IN RE: BILATERAL TINNITUS CASES

ORDER

This order amends Miscellaneous Order 05-06 (issued July 12, 2006).

For the reasons stated in Miscellaneous Order 05-06, until further order of this Court, all appeals that concern bilateral tinnitus in whole or in part currently pending with this Court and not yet stayed, shall be stayed as of the date of this order. Further, any other such appeals filed after the date of this order, shall be stayed on the date each such appeal is filed. Because, on September 18, 2006, a petition for a writ of certiorari was filed with the U.S. Supreme Court to review the judgment of the U.S. Court of Appeals for the Federal Circuit in *Smith v. Nicholson*, 451 F.3d 1344 (Fed. Cir. 2006), these stays shall remain in effect until the Supreme Court has acted on the petition.

DATED: September 25, 2006

FOR THE COURT:

NORMAN Y. HERRING
Clerk of the Court