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UC Irvine law students, Gibson Dunn win victory for veteran

By Meghann M. Cuniff

A partnership between UC Irvine School of Law and Gibson, Dunn & Crutcher LLP recently lodged its second victory on behalf of a military veteran.

Six students helped Sean S. Twomey, a litigation associate in Gibson Dunn's Orange County office, research and write an opening appellate brief that led the U.S. Court of Appeals for Veterans Claims to overturn a Board of Veterans' Appeals decision that denied benefits to a U.S. Marine who suffered a traumatic brain injury during a tour in Iraq.

The brief prompted a full retreat by the Department of Veterans Affairs. Its Office of General Counsel conceded the argument rather than file an opposition brief.

Twomey and Lori M. Jemison, counsel for the VA in Washington, D.C., filed a joint petition to vacate the Board's decision, which the appellate court granted Aug. 17. *Miranda v. McDonald*, 15-1891 (U.S. Court of Appeals For Veterans Claims, filed May 12, 2015).

The school announced the victory Tuesday. The students worked the case through the UCI Law VA Benefits Project, which Twomey supervises. The Veterans Consortium Pro Bono Program evaluated the case and referred it to the project, which it helped established with Gibson and Dunn in spring 2015.

Third-year student Andrew Morrill was the student leader for the case. Third-year students Karisa Chapa and Katherine Ells contributed, as did second-year student Julia Wu and 2016 graduates Bree Oswald and Hayley Penan.

Twomey credited their "enthusiasm, creative thinking, and hard work" in the news release announcing the victory.

Twomey's students recently began work on another appeal referred to UCI by the Pro Bono Program, Twomey said Wednesday. The case involves another military veteran denied benefits.

He said some of the students have family connections to the military like he does, and they enjoy the personal connection of helping veterans.

"At the same time, they get exposure to practicing in federal court and the Court of Appeals," Twomey said.

The VA Benefits Project first victory occurred in July 2015 when the Court of Appeals for Veterans Claims vacated and remanded a board decision that denied benefits to a U.S. Army veteran who was exposure to Agent Orange during the Vietnam War.

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