

Note: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-3212

JOHN MILKOVITS,

Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,

Respondent,

and

DEPARTMENT OF HOMELAND SECURITY,

Intervenor.

Donald P. Russo, Law Offices of Donald P. Russo, of Bethlehem, Pennsylvania, argued for petitioner.

Joyce G. Friedman, Attorney, Office of the General Counsel, United States Merit Systems Protection Board, of Washington, DC, argued for respondent. With her on the brief were B. Chad Bungard, General Counsel, and Calvin M. Morrow, Acting Assistant General Counsel.

Tara J. Kilfoyle, Trial Attorney, Civil Division, United States Department of Justice, of Washington, DC, argued for intervenor. With her on the brief were Gregory G. Katsas, Assistant Attorney General, Jeanne E. Davidson, Director and Todd M. Hughes, Deputy Director.

Appealed from: Merit Systems Protection Board

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Judgment

ON APPEAL from the MERIT SYSTEMS PROTECTION BOARD
in CASE NO(S). PH0752070462-I-1

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (LOURIE, CLEVINGER, and LINN, Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED December 8, 2008

/s/ Jan Horbaly
Jan Horbaly, Clerk