

NOTE: This disposition is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2009-3062

DAN C. BOECHLER,

Petitioner,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

David C. Thompson, David C. Thompson, P.C., of Grand Forks, North Dakota, argued for petitioner.

Scott D. Austin, Senior Trial Counsel, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. With him on the brief were Tony West, Assistant Attorney General, Jeanne E. Davidson, Director, and Todd M. Hughes, Deputy Director.

Appealed from: Merit Systems Protection Board

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DEPARTMENT OF THE INTERIOR,

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## Judgment

ON APPEAL from the Merit Systems Protection Board  
in CASE NO(S). DE0752040295-I-4 and DE0752040458-I-4

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (NEWMAN, LOURIE, Circuit Judges, and GUILFORD, District Judge).\*

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED April 22, 2010

/s/ Jan Horbaly  
Jan Horbaly, Clerk

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\* The Honorable Andrew Guilford, District Judge, United States District Court for the Central District of California, sitting by designation.