

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-3253

THOMAS E. GAGHAN, JR.,

Petitioner,

v.

OFFICE OF PERSONNEL MANAGEMENT,

Respondent.

Joseph J. Chester, Caplan & Chester Law Firm, of Pittsburgh, Pennsylvania, argued for petitioner.

Hillary A. Stern, Senior Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. With her on the brief were Michael F. Hertz, Deputy Assistant Attorney General, Jeanne E. Davidson, Director, and Kirk T. Manhardt, Assistant Director.

Appealed from: Merit Systems Protection Board

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OFFICE OF PERSONNEL MANAGEMENT,

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Judgment

ON APPEAL from the Merit Systems Protection Board
in CASE NO(S). PH0831080559-I-1

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (MICHEL, Chief Judge, CLEVINGER and PROST, Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED April 12, 2010

/s/ Jan Horbaly
Jan Horbaly, Clerk