

NOTE: This disposition is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**CARL D. HAYDEN,**  
*Petitioner*

v.

**DEPARTMENT OF THE AIR FORCE,**  
*Respondent*

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2018-1589

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Petition for review of the Merit Systems Protection Board in No. CH-4324-13-0534-M-1.

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**JUDGMENT**

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STEPHEN J. SMITH, Schiff Hardin LLP, Washington, DC, argued for petitioner.

ERIN MURDOCK-PARK, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by ALLISON KIDD-MILLER, ROBERT EDWARD KIRSCHMAN, JR., JOSEPH H. HUNT.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, NEWMAN and STOLL, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

April 16, 2019  
Date

/s/ Jarrett B. Perlow  
Jarrett B. Perlow  
Chief Deputy Clerk