

NOTE: This disposition is nonprecedential.

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

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**NEAL E. ELKIN,**  
*Petitioner*

v.

**DEPARTMENT OF VETERANS AFFAIRS,**  
*Respondent*

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2022-2239

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Petition for review of the Merit Systems Protection Board in No. SF-1221-20-0387-W-1.

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**JUDGMENT**

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JAMES SOLOMON, Solomon, Maharaj & Kasimati, PA, Tampa, FL, argued for petitioner.

BRYAN MICHAEL BYRD, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by BRIAN M. BOYNTON, ELIZABETH MARIE HOSFORD, PATRICIA M. MCCARTHY.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (TARANTO, HUGHES, and CUNNINGHAM,  
*Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

March 11, 2024  
Date



Jarrett B. Perlow  
Clerk of Court