

NOTE: This disposition is nonprecedential.

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

PATRICIA SCHOEMAN,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent,

and

OFFICE OF PERSONNEL MANAGEMENT,
Intervenor.

2009-3297

Petition for review of the Merit Systems Protection Board
in AT0831090378-I-1

JUDGMENT

DAVID U. FIERST, Stein, Mitchell & Muse L.L.P., of
Washington, DC, argued for petitioner.

STEPHANIE M. CONLEY, Attorney, Office of the General
Counsel, Merit Systems Protection Board, of Washington,
DC, argued for respondent. With her on the brief were
JAMES M. EISENMANN, General Counsel, and KEISHA
DAWN BELL, Deputy General Counsel.

JANE W. VANNEMAN, Senior Trial Counsel,
Commercial Litigation Branch, Civil Division, United
States Department of Justice, of Washington, DC, argued

for intervenor. With her on the brief were TONY WEST, Assistant Attorney General, JEANNE E. DAVIDSON, Director, and KIRK T. MANHARDT, Assistant Director.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (RADER, *Chief Judge*, LOURIE, and PROST, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

August 9, 2010
Date

/s/Jan Horbaly
Jan Horbaly
Clerk