

NOTE: This disposition is nonprecedential.

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

CAROL V. MAY,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent,

and

DEPARTMENT OF VETERANS AFFAIRS,
Intervenor.

2010-3085

Petition for review of the Merit Systems
Protection Board in case No. PH0752080505-I-1.

JUDGMENT

DENNIS L. FRIEDMAN, of Philadelphia, Pennsylvania,
argued for petitioner.

JEFFREY A. GAUGER, Attorney, Office of the General
Counsel, Merit Systems Protection Board, of Washington,
DC, argued for respondent. With him 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 REGINALD T. BLADES, JR., Assistant Director.

THIS CAUSE having been heard and considered, it is
ORDERED and ADJUDGED:

PER CURIAM (LOURIE, PLAGER, and DYK, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

March 11, 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk