

NOTE: This disposition is nonprecedential.

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

EUWAN Y.A. GODFREY,
Petitioner,

v.

DEPARTMENT OF TRANSPORTATION,
Respondent.

2010-3127

Petition for review of the Merit Systems Protection Board in consolidated Case Nos. PH4324090182-I-3, PH4324100080-I-1, and PH3443070135-M-1.

JUDGMENT

ROGER P. LIPTON, Green, Miles, Lipton & Fitzgibbon, LLP, of Northampton, Massachusetts, argued for petitioner.

TARA K. HOGAN, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. With her on the brief were TONY WEST, Assistant Attorney General, JEANNE E. DAVIDSON, Director, and KIRK MANHARDT, Assistant, Director.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

March 14, 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk