

NOTE: This order is nonprecedential.

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

KURT CHADWELL,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent,

AND

OFFICE OF PERSONNEL MANAGEMENT,
Intervenor.

2011-3174

Petition for review of the Merit Systems Protection Board in DA300A090680-I-1.

ON MOTION

O R D E R

The Office of Personnel Management (OPM) moves without opposition to reform the caption to name the Merit Systems Protection Board as respondent and OPM as intervenor.

Pursuant to 5 U.S.C. § 7703(a)(2), the Board is designated as the respondent when the Board's decision concerns the procedure or jurisdiction of the Board. The employing agency is designated as the respondent when the Board reaches the merits of the underlying case.

Accordingly,

IT IS ORDERED THAT:

The motions are granted. The revised official caption is reflected above.

FOR THE COURT

SEP 14 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Kurt Chadwell
Jeffrey Gauger, Esq.
Matthew F. Scarlato, Esq.

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

SEP 14 2011

JAN HORBALY
CLERK