

NOTE: This disposition is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2007-3330

ADELINE B. BENJAMIN,

Petitioner,

v.

DEPARTMENT OF AGRICULTURE,

Respondent.

Richard J. Link, Jr., Karpel & Link, of Silver Spring, Maryland, 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 Jeffrey S. Bucholtz, Acting Assistant Attorney General, Jeanne E. Davidson, Director, and Todd M. Hughes, Deputy Director. Of counsel on the brief was Alan B. Robinson, Branch Chief, Employee Relations Branch, United States Department of Agriculture, of Beltsville, Maryland.

Appealed from: Merit Systems Protection Board

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## Judgment

ON APPEAL from the Merit Systems Protection Board

In CASE NO(S). DC0752060891-I-1.

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (RADER, SCHALL, and PROST, Circuit Judges).

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

*ENTERED BY ORDER OF THE COURT*

DATED: October 8, 2008

/ s / Jan Horbaly  
Jan Horbaly, Clerk