

Note: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-3099

HENRY EKPERIGIN,

Petitioner,

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Respondent.

Edward H. Passman, Passman & Kaplan, P.C., of Washington, DC, argued for petitioner.

L. Misha Preheim, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. With him on the brief were Tony West, Assistant Attorney General, Jeanne E. Davidson, Director, and Todd M. Hughes, Deputy Director.

Appealed from: Merit Systems Protection Board

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DEPARTMENT OF HEALTH AND HUMAN SERVICES,

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Judgment

ON APPEAL from the Merit Systems Protection Board

in CASE NO(S). DC0432080286-I-1

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (MAYER, PROST, and MOORE, Circuit Judges.)

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED November 10, 2009

/s/ Jan Horbaly
Jan Horbaly, Clerk