

NOTE: This disposition is nonprecedential.

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

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**RANDALL SCHEFFLER,**  
*Petitioner,*

v.

**DEPARTMENT OF THE ARMY,**  
*Respondent.*

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2012-3130

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Petition for review of the Merit Systems Protection Board in No. AT0752101075-I-2.

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**JUDGMENT**

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JOHN MICHAEL BROWN, Attorney at Law, Augusta, Georgia, argued for petitioner.

ELIZABETH M. HOSFORD, Trial Counsel, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. On the brief were STUART F. DELERY, Acting Assistant Attorney General, JEANNE E. DAVIDSON, Director, TODD M. HUGHES, Deputy Director, and STACEY K. GRIGSBY, Trial Attorney. Of counsel on the brief was

JACQUELINE LEPAN EDGERTON, Labor Counselor, Office of  
the Staff Judge Advocate, Department of the Army, of  
Fort Gordon, Georgia.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, SCHALL, and REYNA, *Circuit  
Judges*).

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

ENTERED BY ORDER OF THE COURT

July 17, 2013  
Date

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk