

NOTE: This disposition is nonprecedential.

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

MERLINE FAUST,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent,

AND

UNITED STATES POSTAL SERVICE,
Intervenor.

2013-3155

Petition for review of the Merit Systems Protection Board in No. DA4334120409-I-1.

JUDGMENT

MICHAEL D.J. EISENBERG, Law Office of Michael D.J. Eisenberg, of Washington, DC, argued for petitioner.

LINDSEY SCHRECKENGOST, Attorney, Office of the General Counsel, Merit Systems Protection Board, of

Washington, DC, argued for respondent. With her on the brief was BRYAN G. POLISUK, General Counsel.

ALLISON KIDD-MILLER, Senior Trial Counsel, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for intervenor. With her on the brief were STUART F. DELERY, Assistant Attorney General, BRYANT G. SNEE, Acting Director, and MARTIN F. HOCKEY, JR. Assistant Director. Of counsel was DAVID C. BELT, Attorney, United States Postal Service, of Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, * *Chief Judge*, DYK and WALLACH, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

June 11, 2014

Date

/s/ Daniel E. O'Toole

Daniel E. O'Toole
Clerk of Court

* Sharon Prost assumed the position of Chief Judge on May 31, 2014.