

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2010-3011

RUBEN CAMACHO,

Petitioner,

v.

DEPARTMENT OF HOMELAND SECURITY,

Respondent.

Petition for review of the Merit Systems Protection Board in
NY0752090053-I-1.

ORDER

The Department of Homeland Security and the Merit Systems Protection Board each respond to the court's November 23, 2009 order directing them to respond concerning whether the record before the Board is under seal.

DHS and the Board both indicate that the Board's certified index does not contain Sensitive Security Information (SSI) controlled under 49 CFR parts 15 and 1520 and is not required to be filed under seal. DHS requests that the court enter an order directing that any filing containing SSI be filed under seal and that the party filing such documents be required to file confidential and nonconfidential versions.

Upon consideration thereof,

IT IS ORDERED THAT:

If any materials filed in this proceeding contain SSI, the parties are directed to file confidential and nonconfidential versions of such filings.

FOR THE COURT

JAN 07 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Lawrence A. Berger, Esq.
Jacob A. Schunk, Esq.
B. Chad Bungard, Esq.

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

JAN 07 2010

JAN HORBALY
CLERK