

NOTE: This order is nonprecedential.

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

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**MILO D. BURROUGHS,**  
*Petitioner,*

v.

**MERIT SYSTEMS PROTECTION BOARD,**  
*Respondent,*

and

**DEPARTMENT OF TRANSPORTATION,**  
*Intervenor.*

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2010-3180

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Petition for review of the Merit Systems Protection Board in case no. DA4324100311-I-1.

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**ON MOTION**

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**O R D E R**

Upon consideration of the motions to reform the official caption to designate the Merit Systems Protection Board as the respondent and to permit the Department of Transportation to intervene,

IT IS ORDERED THAT:

(1) The motions are granted. The revised official caption is reflected above.

(2) The respondent's and intervenor's briefs are due within 40 days of the date of filing of this order.

FOR THE COURT

DEC 14 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Milo D. Burroughs  
Vincent D. Phillips, Esq.  
Sara Rearden, Esq.

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

DEC 14 2010

JAN HORBALY  
CLERK