

NOTE: This order is nonprecedential.

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

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**DONALD K. FOGAL,**  
*Petitioner,*

v.

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

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2011-3040

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Petition for review of the Merit Systems Protection Board in case no. DC0752100841-I-1.

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**ON MOTION**

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**O R D E R**

Upon consideration of the motion to reform the official caption to designate the Merit Systems Protection Board as the respondent,

IT IS ORDERED THAT:

- (1) The motion is granted. The revised official caption is reflected above.
- (2) The Board should calculate its brief due date from the date of filing of this order.

FOR THE COURT

APR 06 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Donald K. Fogal  
Scott T. Palmer, Esq.  
Calvin Morrow, Esq. (Copy Of Petitioner's Informal  
Brief Enclosed)

s20

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

APR 06 2011

**JAN HORBALY**  
**CLERK**