

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-3343

SUNG K. KIM,

Petitioner,

v.

DEPARTMENT OF DEFENSE,

Respondent.

Kevin L. Owen, Law Offices of Gary M. Gilbert & Associates, of Silver Spring, Maryland, argued for petitioner. With him on the brief was Gary M. Gilbert.

Elizabeth M. Hosford, Senior Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. On the brief were Michael F. Hertz, Acting Assistant Attorney General, Jeanne E. Davidson, Director, and Kirk T. Manhardt, Assistant Director. Of counsel on the brief was Nolan J. Benson, Jr., Associate General Counsel, Defense Threat Reduction Agency, United States Department of Defense, of Ft. Belvoir, Virginia.

Appealed from: Merit Systems Protection Board

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Judgment

ON APPEAL from the Merit Systems Protection Board
in CASE NO(S). DC0752070892-I-1

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (LOURIE, RADER, and PROST, Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED July 14, 2009

/s/ Jan Horbaly
Jan Horbaly, Clerk