

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-3083

MICHELE KELLER,

Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,

Respondent.

Petition for review of the Merit Systems Protection Board in
CH3443080506-I-1.

ON MOTION

ORDER

The Department of Justice moves without opposition to reform the caption to name the Merit Systems Protection Board as respondent.

Pursuant to 5 U.S.C. § 7703(a)(2), the Board is designated as the respondent when the Board's decision concerns the procedure or jurisdiction of the Board. The employing agency is designated as the respondent when the Board reaches the merits of the underlying case.

Accordingly,

IT IS ORDERED THAT:

The motion is granted. The revised official caption is reflected above.

FOR THE COURT

MAR 06 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

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

cc: Allison Kidd-Miller, Esq.
Martin S. Hume, Esq.
Sara B. Rearden, Esq.

MAR 06 2009

JAN HORBALY
CLERK

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