

NOTE: This order is nonprecedential.

**United States Court of Appeals for the Federal Circuit**  
2009-3115

ROBERT J. DI PAOLO,

Petitioner,

v.

UNITED STATES POSTAL SERVICE,

Respondent.

Petition for review of the Merit Systems Protection Board in  
SF0752080041-I-1.

ON MOTION

Before BRYSON, Circuit Judge.

ORDER

Robert J. Di Paolo moves to supplement the record to include an affidavit not before the Merit Systems Protection Board. The United States Postal Service opposes.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion to supplement the record is deferred for consideration by the merits panel that is assigned to hear the case. A copy of this order and the motions papers shall be transmitted to the merits panel assigned to hear this case.

**JUN 11 2009**

Date

FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly  
Clerk

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

**JUN 11 2009**

JAN HORBALY  
CLERK

cc: Robert J. Di Paolo  
Carrie A. Dunsmore, Esq.

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