

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-3214

GENE M. AUSTON,

Petitioner,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Petition for review of the Merit Systems Protection Board in  
CH-1221-09-0041-W-1.

ON MOTION

Before GAJARSA, Circuit Judge.

## ORDER

Gene M. Auston moves without opposition for a 90-day extension of time, until  
December 10, 2009, to file his informal brief.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted.

FOR THE COURT

**SEP 18 2009**

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Gene M. Auston  
Roger A. Hipp, Esq.

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

**SEP 18 2009**

**JAN HORBALY  
CLERK**