

NOTE: This order is nonprecedential.

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

ROGER TUDOR,
Petitioner,

v.

DEPARTMENT OF THE TREASURY,
Respondent.

2009-3237

Petition for review of the Merit Systems Protection Board in DA0752080172-I-1.

ON MOTION

Before PROST, *Circuit Judge*

O R D E R

Roger Tudor moves to supplement the record to include a written transcript from the official audio transcript of a hearing before the Merit Systems Protection Board and also moves for an extension of time to file his reply brief. The Department of the Treasury opposes the motion to supplement the record.

The court grants Tudor's motion to supplement the record. However, the merits panel is of course free to disregard or strike any references to the transcript in the briefs.

Accordingly,

IT IS ORDERED THAT:

(1) The motions are granted. Tudor's reply brief is due within 21 days from the date of filing of this order.

(2) A copy of this order shall be transmitted to the merits panel assigned to hear this case.

FOR THE COURT

OCT 04 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Lawrence A. Berger, Esq.
Matthew H. Solomson, Esq.

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

OCT 04 2010

**JAN HORBALY
CLERK**