

NOTE: This disposition is nonprecedential.

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

ELIZABETH SOMERS,
Petitioner

v.

DEPARTMENT OF VETERANS AFFAIRS,
Respondent

2018-1427

Petition for review of the Merit Systems Protection Board in No. CH-1221-16-0259-W-1.

JUDGMENT

MICHAEL LEE VOGELSANG, JR., The Employment Law Group, PC, Washington, DC, argued for petitioner.

DAVID PEHLKE, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by REGINALD THOMAS BLADES, JR., ROBERT EDWARD KIRSCHMAN, JR., JOSEPH H. HUNT.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, BRYSON, and WALLACH, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

November 9, 2018
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court