

NOTE: This disposition is nonprecedential.

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

LEE JOHNSON,
Petitioner

v.

DEPARTMENT OF THE NAVY,
Respondent

2015-3174

Petition for review of the Merit Systems Protection Board in No. SF-1221-14-0828-W-1.

JUDGMENT

PETER BROIDA, Arlington, VA, argued for petitioner.

SONIA MARIE ORFIELD, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by BENJAMIN C. MIZER, ROBERT E. KIRSCHMAN, JR., ELIZABETH M. HOSFORD; TRACEY R. ROCKENBACH, Office of the General Counsel, United States Department of the Navy, Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, LOURIE and WALLACH, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

March 17, 2016
Date

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court