

NOTE: This disposition is nonprecedential.

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

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**ARTHUR SWEETING,**  
*Petitioner*

v.

**MERIT SYSTEMS PROTECTION BOARD,**  
*Respondent*

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2016-2540

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Petition for review of the Merit Systems Protection Board in No. AT-315H-16-0389-I-1.

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**JUDGMENT**

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MELANIE L. BOSTWICK, Orrick, Herrington & Sutcliffe LLP, Washington, DC, argued for petitioner. Also represented by ERIC SHUMSKY; ANJALI DALAL, New York, NY.

KATRINA LEDERER, Office of the General Counsel, Merit Systems Protection Board, Washington, DC, argued for respondent. Also represented by BRYAN G. POLISUK, KATHERINE M. SMITH.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, NEWMAN and LINN,  
*Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

July 19, 2017

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner  
Clerk of Court