

time to comply. Therefore, the Court finds that plaintiff has conceded defendants' valid arguments for dismissal. Particularly, plaintiff has not refuted that (1) the claim for tort damages is time-barred under the two-year statute of limitations set by the Federal Tort Claims Act ("FTCA") (Def.'s Mem. of P. & A. at 6-7, ECF No. 11-1); (2) the FTCA bars certain claims alleged in the complaint (*id.* at 7-10); and (3) jurisdiction is lacking over the claim arising from the settlement agreement previously adjudicated by the Merit Systems Protection Board (*id.* at 10-12). Consequently, this case will be dismissed. A separate Order accompanies this Memorandum Opinion.

Date: October 17, 2016

Tanya S. Chutkan
TANYA S. CHUTKAN
United States District Judge