

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

DISPOSITION SHEET

MONDAY, JANUARY 12, 2009

11:00 A.M.

PRECEDENTIAL OPINION

2008-3093 JAMES RAMOS, JR. v. DEPARTMENT OF JUSTICE
On appeal from the Merit Systems Protection Board.
Decision affirmed.
Opinion by Bryson, Circuit Judge.

NONPRECEDENTIAL OPINIONS

2007-1583	FRISKIT, INC. v. REALNETWORKS, INC., ET AL. USDCT/NDCA	Bryson, J.	Affirmed
2008-3249	ALEX M. GRIJALVA v. MERIT SYSTEMS PROTECTION BOARD MSPB	Per Curiam	Affirmed
2008-3314	WINFRED B. ABRAMS v. DEPARTMENT OF VETERANS AFFAIRS MSPB	Per Curiam	Affirmed
2008-3318	BRUCE A. GOWINGS v. MERIT SYSTEMS PROTECTION BOARD MSPB	Per Curiam	Affirmed
2008-7025	ROSE P. ROLLING v. JAMES B. PEAKE, M.D., Secretary of Veterans Affairs USCAVC	Per Curiam	Dismissed

PETITION FOR REHEARING

2008-7097 GARY DAY v. JAMES B. PEAKE, M.D., Secretary of Veterans Affairs
Denied.

TUESDAY, JANUARY 13, 2009

11:00 A.M.

PRECEDENTIAL ORDER

2006-1286 IN RE STEPHEN W. COMISKEY

On petition for rehearing en banc.

Rehearing en banc is granted for the limited purpose of authorizing the panel to revise its opinion. The judgment of the court entered on September 20, 2007, and reported at 499 F.3d 1365 (Fed. Cir. 2007), is hereby vacated, and the opinion of the court accompanying the judgment is withdrawn. The en banc court returns this appeal to the merits panel, which issues the revised opinion that accompanies this order.

Opinion by Per Curiam.

Concurring opinion filed by Dyk, Circuit Judge, in which Michel, Chief Judge, and Prost, Circuit Judge, join. Concurring opinion filed by Lourie, Circuit Judge. Dissenting opinion filed by Moore, Circuit Judge, in which Newman and Rader, Circuit Judges, join. Dissenting opinion filed by Newman, Circuit Judge. Newman, Mayer, Rader, Bryson, and Moore, Circuit Judges, would grant rehearing en banc with full briefing and argument rather than for the limited purpose of authorizing the panel to revise its opinion.

PRECEDENTIAL OPINION

2006-1286 IN RE STEPHEN W. COMISKEY

On appeal from the United States Patent and Trademark Office, Board of Patent Appeals and Interferences.

Decision affirmed-in-part, vacated-in-part, and remanded.

Opinion by Dyk, Circuit Judge.

NONPRECEDENTIAL OPINION

2008-1201 NINESTAR TECHNOLOGY CO., LTD., ET AL. v. INTERNATIONAL
TRADE COMMISSION, ET AL.

USITC

Per Curiam

Affirmed, Rule 36

2008-3317 KATHY P. WEBB v. MERIT SYSTEMS PROTECTION BOARD

MSPB

Per Curiam

Affirmed

(Continued)

TUESDAY, JANUARY 13, 2009 (CONTINUED)

OTHER ACTION

2009-3036 DAVID M. GUEL, SR. v. MERIT SYSTEMS PROTECTION BOARD
Mandate recalled and appeal reinstated.

PETITION FOR REHEARING

2008-3255 WILLIAM B. JOLLEY v. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT
Denied.

WEDNESDAY, JANUARY 14, 2009

11:00 A.M.

NONPRECEDENTIAL OPINION

2008-3251 MARGARET R. PHILLIPS v. MERIT SYSTEMS PROTECTION BOARD
MSPB Per Curiam Affirmed

OTHER ACTION

2009-3023 LINDA V. SCHULTZ v. UNITED STATES POSTAL SERVICE
Mandate recalled and appeal reinstated.

DISMISSALS

2008-1551 SUAD EFENDIC v. THOMAS COLLIAGE, ET AL.

2008-3340 MARGARET M. GARRETT v. MERIT SYSTEMS PROTECTION BOARD

2009-3026 LOUIS A. LODGE v. DEPARTMENT OF THE TREASURY

2009-3054 TRACI L. CAROTHERS v. DEPARTMENT OF VETERANS AFFAIRS

2009-3077 GENERAL E. PIERCE v. OFFICE OF PERSONNEL MANAGEMENT

2009-3078 BERNARDITA B. ARMACHUELO v. OFFICE OF PERSONNEL
MANAGEMENT

2009-5003 WATTS-HEALY TIBBITTS, A JV v. UNITED STATES, ET AL.

THURSDAY, JANUARY 15, 2009

11:00 A.M.

PRECEDENTIAL OPINION

2008-1073 BOSTON SCIENTIFIC SCIMED, INC., ET AL. v. CORDIS CORPORATION, ET AL.
On appeal from the United States District Court for the District of Delaware.
Judgment reversed.
Opinion by Lourie, Circuit Judge.

NONPRECEDENTIAL OPINIONS

2008-3133	TOM CARTLEDGE v. OFFICE OF PERSONNEL MANAGEMENT MSPB	Moore, J.	Reversed and remanded.
2008-3171	BRUCE W. PATTON v. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION MSPB	Per Curiam	Affirmed, Rule 36
2008-3235	RENEE R. BERRY v. MERIT SYSTEMS PROTECTION BOARD MSPB	Per Curiam	Affirmed

DISMISSALS

2009-3011 YVONNE FANNETTE HOWERTON v. MERIT SYSTEMS PROTECTION BOARD, ET AL.

2009-3067 LARRY M. DOW v. GENERAL SERVICES ADMINISTRATION

2009-5002 MICHAEL TELEMAQUE v. UNITED STATES

PETITION FOR REHEARING AND REHEARING EN BANC

2008-1399 RFR INDUSTRIES, INC. v. REX-HIDE INDUSTRIES, INC. v. CENTURY STEPS, INC. (doing business as Century Precast)
Denied.

FRIDAY, JANUARY 16, 2009

11:00 A.M.

PRECEDENTIAL OPINIONS

- 2008-5022 RICHARD CARY, ET AL. v. UNITED STATES
On appeal from the United States Court of Federal Claims.
Judgment affirmed.
Opinion by Mayer, Circuit Judge.
- 2008-7013 LEROY COMER v. JAMES B. PEAKE, M.D., Secretary of Veterans Affairs
On appeal from the United States Court of Appeals for Veterans
Claims.
Judgment reversed and remanded.
Opinion by Mayer, Circuit Judge.

NONPRECEDENTIAL OPINION

- 2008-3299 MONIDEEP K. DEY v. NUCLEAR REGULATORY COMMISSION
MSPB Per Curiam Affirmed

DISMISSALS

- 2008-1287 NETWORK VIDEO TECHNOLOGIES, INC. v. NITEK INTERNATIONAL,
LLC
- 2009-1134 IN RE YASUHIRO ISHII, ET AL.

PETITION FOR REHEARING AND REHEARING EN BANC

- 2008-1120 IN RE DBC
Denied.

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