

**UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD**

THOMAS F. DAY,
Appellant,

DOCKET NUMBER
DC-1221-12-0528-W-1

v.

DEPARTMENT OF HOMELAND
SECURITY,
Agency.

DATE: February 5, 2013

Thomas F. Day, Sterling, Virginia, pro se.

Lorna J. Jerome, Washington, D.C., for the agency.

Jason Zuckerman, Washington, D.C., for amicus curiae
Office of Special Counsel

ORDER

By Order dated January 16, 2013, the Board invited the Office of Special Counsel (OSC) to file an amicus brief in this matter by February 15, 2013. The Board also invited the parties to respond to OSC's brief by March 8, 2013.

The Board has decided to invite any interested individual or organization to file an amicus brief in this appeal. The Board is publishing a notice in the Federal Register inviting interested individuals or organizations to file amicus briefs by March 1, 2013. The Board has therefore decided to extend the deadline for OSC's amicus brief to coincide with that of the other amici. Accordingly, OSC may file a brief as amicus curiae in this appeal so that it is received by **March 1, 2013**. OSC should file its brief with the Office of the Clerk of the Board and the Board, in turn, will serve OSC's brief, and any briefs received from other individuals or organizations, on the parties. OSC may file its brief by

email to mspb@mspb.gov, fax (202) 653-7130, or by mail or personal delivery. All amicus briefs received in this appeal will be posted to the Board's website at www.mspb.gov/SignificantCases.

Either party may file a response to the arguments raised by OSC or any other amicus by **March 22, 2013**. The party must serve its response on the opposing party, and must provide proof of service to the Board.

FOR THE BOARD:

William D. Spencer
Clerk of the Board

Washington, D.C.