



## U.S. MERIT SYSTEMS PROTECTION BOARD

### Case Report for March 26, 2021

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#### NONPRECEDENTIAL COURT DECISIONS

*McLaughlin v. Merit Systems Protection Board*, [No. 2019-1997](#) (Fed. Cir. Mar. 23, 2021) (MSPB Docket No. DC-1221-19-0114-W-1): The court remanded this individual right of action appeal to the Board for further consideration of the jurisdictional issue. In its brief to the court, the Board agreed that remand was appropriate. In a separate opinion concurring in part and dissenting in part, Judge Newman argued that the petitioner has established Board jurisdiction and that the court should therefore remand the appeal for adjudication on the merits.

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