

To: MSPB Washington Regional Office  
Fr: David W. Noble, Jr.  
Dt: 9/26/11  
Re: Pleading in Dkt. No. DC-0752-11-0880-I-1, *Noble v. USPS*  
By fax: 703-756-7112

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2011 SEP 26 PM 3:17

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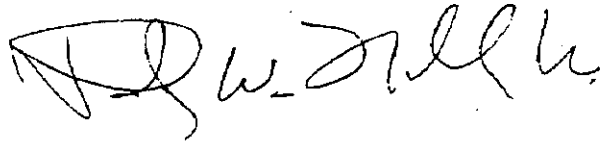
This is in response to the Administrative Judge's demand during today's telephone conference that I pick three witnesses to testify concerning route adjustments. If I failed to do so by 5:00 p.m. today the Judge said that he would pick three from the list I provided. I have reviewed the witness list I submitted as part of my September 23, 2011 prehearing submission and have determined that the expected testimony of each of the witnesses I identified as testifying in whole or in part about route adjustments is relevant and material to my contention that I was subjected to intolerable working conditions. Furthermore, there is no overlap whatsoever between their expected testimony, therefore it cannot possibly be considered duplicative. There is no sound legal basis for excluding any of them. Moreover, the testimony I expect to elicit from most of the witnesses would take only a minute or two and, with the exception of Chuck Clark, all will be called to the stand to testify about other matters anyway. In terms of time, therefore, the effect of taking their testimony would be negligible.

I object to the requirement that I chose only three witnesses and, lest I be considered to have waived that objection, I decline to chose among those I listed. Before imposing the three-witness requirement the Judge did not even permit me to give a detailed description of the witnesses' testimony, and cut me off as I was beginning to talk about the expected testimony of the first of them. The Judge has at this point only the most superficial of understandings about the nature of the instant controversy, and, I respectfully submit, should not now be making wholesale cuts to a party's witness list.

If the Judge strikes any of my witnesses I will object and file formal offers of proof. Both my thirty-six year career and my eighteen-year-old federal suit are on the line, and I have a right to a full and fair hearing of my case.

**Certificate of Service**

I certify that I sent on September 26, 2011 *Pleading in Dkt. No. DC-0752-11-0880-1-1* by facsimile transmission to Stephen W. Furgeson at 301.955-0701 and to the Honorable Daniel Madden Turbitt at the MSPB Washington Regional Office at 703.756-7112.

A handwritten signature in black ink, appearing to read "D. W. Furgeson". The signature is written in a cursive style with a large initial "D" and "W".

CHARLES MCKENZIE PRINGLE,  
Appellant,

DOCKET NUMBER  
DC-315H-11-0942-I-1

v.

DEPARTMENT OF AGRICULTURE,  
Agency.

Date: September 26, 2011

It is the confidence that, the Merit Systems Protection Board has jurisdiction over this appeal: Appellant is appealing the adverse action as a Veterans preference-eligible employee with at least one year of continuous employment in the same or similar positions outside the competitive service. Said position is in an Executive agency, the Department of Defense, which is recorded in the appellant's Department of Agriculture personnel (human resources) file. Title 5 § 7501, 7511 and 7512; <https://e-appeal.mspb.gov/faq.aspx#6>.

*Charles M. Pringle*  
Charles M. Pringle

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2011 SEP 27 AM 7:30

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**CERTIFICATE OF SERVICE**

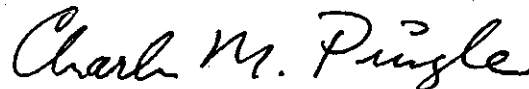
I certify that the attached Document(s) was (were) sent as indicated this day to each of the following:

**Appellant**  
Electronic Mail Charles McKenzie Pringle  
12228 Jarden Ct.  
Raleigh, NC 27613-5513

**Via Fax: 301-734-6353**  
Agency Representative  
Department of Agriculture  
Animal & Plant Health Inspection Service (APHIS) Assessment & Litigation Branch  
4700 River Road, Unit 158  
Riverdale, MD 20737

**Via Fax: 202-720-9697**  
Arthur M. Ford  
Department of Agriculture  
1400 Independence Ave. SW 1717-S/MAIL STOP 3446 Washington, DC 20250

**Via Fax: 202-720-9697**  
Eileen Fallon Sullivan  
Department of Agriculture  
1400 Independence Ave SW Room 1720, Mail Stop 3446  
Washington, DC 20250

  
Charles M. Pringle

Date: September 26, 2011

**FAX TO:**

**MSPB      DC REGIONAL OFFICE      703-756-7112**

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