

DAVID NOBLE v. UNITED STATES POSTAL SERVICE

Docket # DC-0752-11-0880-I-1

Joint Motion to Suspend Appeal Processing

Summary Page

Case Title : DAVID NOBLE v. UNITED STATES POSTAL SERVICE

Docket Number : DC-0752-11-0880-I-1

Pleading Title : Joint Motion to Suspend Appeal Processing

Filer's Name : Stephen W. Furgeson

Filer's Pleading Role : Agency Representative

Details about the supporting documentation

N/A

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DAVID NOBLE v. UNITED STATES POSTAL SERVICE

Docket # DC-0752-11-0880-I-1

Joint Motion to Suspend Appeal Processing

Online Interview

1. Would you like to enter the text online or upload a file containing the pleading?

See attached pleading text document

2. Does your pleading assert facts that you know from your personal knowledge?

No



Via e-Mail, Facsimile and Priority Mail – Delivery Confirmation

October 31, 2011

Daniel Madden Turbitt
Administrative Judge
Merit Systems Protection Board
Washington Regional Office
1800 Diagonal Road, Suite 205
Alexandria, VA 22314-2840
Fax: (703) 756-7112

Re: **David Noble, Jr. v. United States Postal Service**
MSPB Dkt. No. DC-0752-11-0880-I-1

Dear Administrative Judge Turbitt:

Enclosed are the "Joint Motion To Suspend Appeal Processing" and a certificate of service in the above-captioned matter.

Sincerely,

A handwritten signature in cursive script that reads "Stephen W. Furgeson".

Stephen W. Furgeson
Attorney

cc: David Noble, Jr.
1 Fenceline Drive
Gaithersburg, MD 20878

UNITED STATES OF AMERICA
MERIT SYSEMS PROTECTION BOARD
WASHINGTON REGIONAL OFFICE

_____)	
DAVID W. NOBLE, JR.,)	
Appellant,)	
)	DOCKET NO. DC-0752-11-0880-I-1
v.)	
)	ADMINISTRATIVE JUDGE:
UNITED STATES POSTAL SERVICE)	Daniel Madden Turbitt
Agency.)	
_____)	

JOINT MOTION TO SUSPEND APPEAL PROCESSING

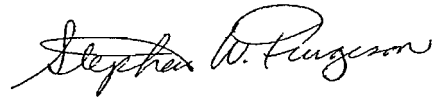
Pursuant to 5 C.F.R. § 1201.28 (a) the United States Postal Service (hereinafter "Agency") and the Appellant hereby jointly file a motion to suspend processing of the appeal for 30 days in order to provide time for the parties to properly respond and pursue discovery.

The Agency is finding it difficult and burdensome to respond in a thorough and timely fashion to the order compelling discovery by October 31 and at noon on November 3, 2011. Moreover, the Appellant requires additional time to evaluate discovery responses.

Additionally, the Appellant has sent notices of deposition for the Agency's four approved witnesses, and while pursuant to 5 C.F.R. § 1201.75 the Agency does not consent to the method of deposition proposed by the Appellant, the Agency would not object to such depositions taken through traditional commercial transcription.

Therefore, the parties respectfully request that the process be suspended
for 30 days.

October 31, 2011
DATE



David W. Noble, Jr.
Appellant

Attorney
Capital Metro Law Office
U.S. Postal Service
8200 Corporate Drive
Landover, MD 20785-2200
(301) 955-0703 (Phone)
(651) 306-6526 (Personal FAX)
(301) 955-0701 (Office FAX)

CERTIFICATE OF SERVICE

I hereby certify that the "Joint Motion To Suspend Appeal Processing" was served on this 31st day of October 2011, as indicated below, as follows:

Administrative Judge—via Priority Mail, Delivery Confirmation, facsimile and efile

Daniel Madden Turbitt
Administrative Judge
Merit Systems Protection Board
Washington Regional Office
1800 Diagonal Road, Suite 205
Alexandria, VA 22314-2840
Fax: (703) 756-7112

Appellant -- via Priority Mail, Delivery Confirmation

David Noble, Jr.
1 Fenceline Drive
Gaithersburg, MD 20878



Stephen W. Furgeson

Certificate Of Service

e-Appeal has handled service of the assembled pleading to MSPB and all of the Parties.

Following is the list of the Parties in the case:

Name & Address	Documents	Method of Service
MSPB: Washington Regional Office	Joint Motion to Suspend Appeal Processing	e-Appeal / e-Mail
David Noble, Jr. Appellant	Joint Motion to Suspend Appeal Processing	e-Appeal / e-Mail