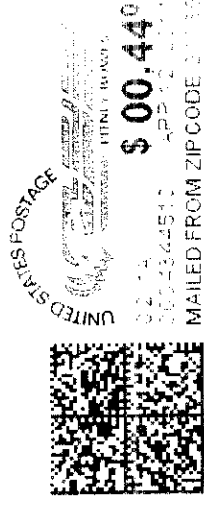


**U.S. MERIT SYSTEMS PROTECTION BOARD
CLERK OF THE BOARD**

1615 M Street, NW
Washington, DC 20419

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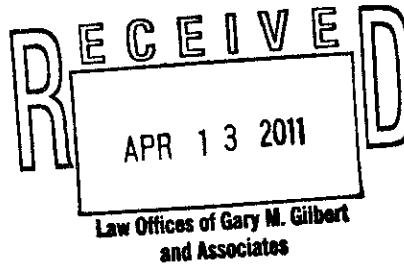


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MSPB-E-119 (04/06)

Docket No. AT-0752-10-0474-I-2
Party: Appellant's Representative

Zach Wright, Esq.
Law Offices of Gary M. Gilbert
& Associates, P.C.
8401 Colesville Road, Suite 300
Silver Spring, MD 20910





U.S. MERIT SYSTEMS PROTECTION BOARD

Office of the Clerk of the Board

1615 M Street, N.W.
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April 12, 2011

George Opfer
Inspector General
Department of Veterans Affairs
Office of Inspector General (50)
810 Vermont Avenue, NW
Washington, DC 20420

Re: *Martinez v. Department of Veterans Affairs*, Docket No. AT-0752-10-0474-I-2

Dear Mr. Opfer:

This is in response to your April 7, 2011 emails, with attachments, addressed to Chairman Susan Tsui Grundmann and Administrative Judge Lynn P. Yovino. In your correspondence, you express your disagreement with public statements made by the appellant's counsel in connection with the above-referenced appeal. Your emails were forwarded to the Clerk of the Board to respond.

The Merit Systems Protection Board's (MSPB) records show that Administrative Judge Yovino issued an initial decision in the above-referenced appeal on April 1, 2011, and that neither party has yet filed a petition for review of that initial decision. To the extent that the Department of Veterans Affairs disagrees with the initial decision and would like to file a petition for review with the full Board, the MSPB's regulations at 5 C.F.R. §§ 1201.114-115 set forth the procedures for filing a petition for review. As your correspondence does not appear to be a petition for review, we are not treating it as such nor are we taking any further action on it. Additionally, please note that because the April 1, 2011 initial decision is not the final decision of the Board, it is not appropriate for either party to attempt to communicate with Chairman Grundmann or other members of the Board.

Please be assured that if a petition for review is filed, the above-referenced appeal will receive a full and impartial review consistent with applicable law and regulations.

I hope this information is helpful to you.

Sincerely,

A handwritten signature in black ink, appearing to read "William D. Spencer".

William D. Spencer
Clerk of the Board

cc: Katherine Adair Martinez
Kevin Owen, Esq.
Zach Wright, Esq.