

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**ELFINA MCINTOSH,**  
*Petitioner*

v.

**DEPARTMENT OF DEFENSE,**  
*Respondent*

**MERIT SYSTEMS PROTECTION BOARD,**  
*Intervenor*

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2019-2454

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Petition for review of the Merit Systems Protection Board in No. DC-0752-17-0803-I-4.

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**ON MOTION**

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PER CURIAM.

**O R D E R**

The Department of Defense moves unopposed for the court to stay further proceedings in this case until 30 days after the disposition of *Arthrex, Inc. v. Smith & Nephew, Inc., et al.*, No. 19-1434, by the United States Supreme

Court. This case is currently scheduled to be argued telephonically on December 8, 2020.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted to the extent that the argument is canceled and the case is stayed. Within 30 days after the disposition of *Arthrex*, the parties are directed to advise this court how this case should proceed.

FOR THE COURT

October 23, 2020

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court