

**UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD
WASHINGTON REGIONAL OFFICE**

SONYA L. GREEN,
Appellant,

DOCKET NUMBER
DC-0752-26-1338-I-1

v.

U.S. AGENCY FOR GLOBAL MEDIA,
Agency.

DATE: June 11, 2026

THIS DOCUMENT CONTAINS IMPORTANT INFORMATION ABOUT THIS APPEAL AND ITS PROCESSING. PLEASE READ THE ENTIRE DOCUMENT CAREFULLY.

ACKNOWLEDGMENT ORDER

This office has received the appellant's petition for appeal. I am the administrative judge assigned to this appeal.

I **ORDER** the parties to follow the procedures set out in the separate notices below. If any party fails to follow my orders or the Board's regulations, I may impose sanctions pursuant to [5 C.F.R. § 1201.43](#). If either party has a question regarding any aspect of the case processing instructions set forth in this order, he or she may seek clarification at the phone number listed under my signature at the end of this order.

**MANDATORY ELECTRONIC FILING FOR AGENCIES AND
ATTORNEYS**

The Board requires all pleadings filed by agencies and attorneys who represent appellants in Board proceedings to be electronically filed (e-filed) using the Board's e-Appeal system at <https://e-appeal.mspb.gov/>. This requirement applies to all pleadings in all adjudicatory proceedings before the Board unless

specifically excluded by [5 C.F.R. § 1201.14](#)(d). **Agencies and attorneys representing appellants in Board proceedings must register with e-Appeal as e-filers.** For additional instructions on e-filing, read the section below of this Acknowledgment Order titled “Pleadings Submitted via e-Appeal,” and the Board’s regulations at [5 C.F.R. § 1201.14](#).

NOTICE TO THE APPELLANT

INTRODUCTION

I will first determine if you nonfrivolously alleged Board jurisdiction over this appeal. A jurisdictional order is forthcoming.

If you did not request a hearing, you have 10 calendar days from the date of this order to file a written request for one. If you do not request a hearing, you waive your right to one. In that event, you and the agency will be given an opportunity to make written submissions before the record on your appeal closes.

DESIGNATION OF REPRESENTATIVE

You may name a representative. If you already have a representative, you must complete a “Designation of Representative” form and file it with the Board and with the agency within 10 calendar days of the date of this order unless you included your representative’s name, address, telephone number, and email address, in your appeal. If your representative filed the appeal for you and you have not personally signed the appeal or submitted a signed “Designation of Representative” form, you also must file a signed form with the Board and with the agency within 10 calendar days of the date of this order. If you name a representative after receiving this order, complete a “Designation of Representative” form and file it with the Board and the agency **immediately** after obtaining your representative. The “Designation of Representative” form is included with this order and is available on the Board’s website at <https://www.mspb.gov/appeals/forms.htm>. If you register as an e-filer, you can

use e-Appeal to file a “Designation of Representative” or to notify the Board of a change in contact information.

Despite the designation of a representative, the parties remain personally responsible for prosecuting the case in a timely manner. You must **immediately** notify the Board and the agency in writing of changes in the name, address, telephone number, or email address of your designated representative.

NOTICE TO THE AGENCY/INTERVENOR

AGENCY RESPONSE

The agency will submit its response file as part of its response to the forthcoming jurisdictional order. Said order will contain the filing deadline.

DESIGNATION OF REPRESENTATIVE

The agency must designate a representative. I **ORDER** the agency to file the name, address, telephone number, and email address of the person authorized to act for the agency using e-Appeal’s “Designation of Representative” pleading within 10 calendar days of the date of this Order. The representative must have authority to settle this appeal or be able to directly reach someone with that authority on short notice.

NOTICE TO THE PARTIES

SETTLEMENT

The Board strongly encourages the settlement of the appeals that come before it. Even where discussions between the parties do not result in settlement, they often help to define the issues and assist the parties in agreeing to stipulations. I therefore urge the parties to contact each other to discuss the possibility of settlement as early in this proceeding as possible. I am available to assist in the discussions. The parties should discuss concrete, specific settlement proposals unless either party concludes in good faith that no compromise of any kind is possible. They must also be prepared to discuss with me the status of any

settlement discussions. *See* [5 C.F.R. § 1201.41\(b\)\(12\)](#) (the administrative judge is authorized to “[h]old prehearing conferences for the settlement and simplification of issues”).

If the parties agree to settle this appeal and to enter the agreement into the record, the Board will retain the authority to enforce its terms. However, if they do not enter the agreement into the record, the Board will have no authority to enforce the agreement.

FILING PLEADINGS WITH THE MSPB

A “pleading” is any written submission setting out claims, allegations, arguments, or evidence. Pleadings include briefs, motions, petitions, attachments, and responses. [5 C.F.R. § 1201.4\(b\)](#). Pleadings can be filed via postal mail, facsimile (fax), commercial or personal delivery, or by e-filing via e-Appeal. Pursuant to [5 C.F.R. §§ 1201.14](#) and 1201.26, pleadings filed with the Board must meet the following requirements:

- (1) All pleadings must be legible and either printed on 8½-inch by 11-inch paper or formatted so that they will print on 8½-inch by 11-inch paper.
- (2) All pleadings must be filed by the date set by me or the Board’s regulations. The date of filing is the date your submission is postmarked, faxed, the date of electronic submission if you e-file, or the date of receipt if you personally deliver it to the Board’s regional office. Extensions of filing dates will be granted only if requested in writing and if good cause is shown. **A continuance of a hearing date will be granted only if requested in accordance with the Board’s regulation at [5 C.F.R. § 1201.51\(c\)](#), which requires an affidavit or sworn statement, and if you are able to show extraordinary circumstances.**
- (3) You must serve upon opposing parties and their representatives one copy of each pleading and all documents submitted with it. You may do so by e-Appeal, postal mail, facsimile, or commercial or personal delivery. A certificate of service stating how and when service was made must accompany each pleading. If you register as an e-filer, a certificate of service will be prepared **automatically** as part of the pleadings you file electronically. E-Appeal automatically serves e-filed pleadings on other registered e-filers. E-Appeal will indicate whether a pleading must also be served by non-electronic means and will construct a certificate of

service to be used to serve the pleading. Pleadings that are not e-filed must be accompanied by a certificate of service stating (a) the names and addresses of the parties served; (b) the manner of service (postal mail, fax, or commercial or personal delivery); and (c) the date of service. If you are not a registered e-filer, a case parties list with the names and addresses of the parties who currently must be served in this case is included with this order. The attached certificate of service constitutes a model that you may follow in preparing your own certificate of service.

The Board may reject a submission without a certificate of service.

The use of artificial intelligence (AI) tools does not relieve the parties of their obligation to ensure the accuracy of their pleadings. Parties remain responsible for independently verifying their legal analysis, including all citations and quotations, generated by such tools. Any submission that misrepresents the record or relies on fictitious or unsupported legal authority, whether generated by AI or otherwise, may result in appropriate sanctions.

Pleadings Submitted in Hardcopy

When a pleading submitted by postal mail, fax, commercial or personal delivery includes three or more documentary attachments, the attachments should be “tabbed.” A “tab” is a dividing page (8½-inch by 11-inch paper, no portion of which should extend beyond the normal 8½-inch width of the paper), and which contains a description or label. Each page of the submission should be sequentially numbered, and the attachments should be preceded by a table of contents describing each attachment and indicating the page on which it starts. The page numbers should be placed in the bottom right-hand margin of each page. Special instructions for preparing the agency’s response to the appeal under [5 C.F.R. § 1201.25](#) are included below.

Paper pleadings and attachments may not contain binders, folders, staples, paper clips, or notes adhered to pages. Such items will be removed and not included in the record, or the filing may be rejected. Documents may

not be submitted on an electronic media storage device such as a Compact Disc (CD), Digital Video Disc (DVD), or flash drive. [5 C.F.R. § 1201.26\(b\)](#).

Pleadings Submitted via e-Appeal

All pleadings submitted using e-Appeal must comply with the Board's regulations at [5 C.F.R. § 1201.14](#) and the requirements set forth in e-Appeal policies posted to the Board's website at <https://www.mspb.gov/e-appeal/policies.htm>. Electronic bookmarks and tables of contents take the place of physical "tabs" in pleadings filed by traditional means. E-filed pleadings must contain bookmarks for all supporting documents, and the bookmarks must be named pursuant to requirements set forth in e-Appeal bookmarking policy and include information such as a brief descriptive label with dates (e.g., "Oct. 1, 2021 – Decision Notice"). Bookmarks may be specified using e-Appeal or by uploading the supporting documents in the form of one or more PDF files that are already bookmarked. [5 C.F.R. § 1201.14\(h\)\(2\)](#).

Regardless of whether it is uploaded or entered online, each pleading submitted using e-Appeal will be assembled into a single PDF document, which will include all electronic attachments, and will contain sequential page numbers. E-filers need not manually paginate their pleadings and attachments.

Pleadings submitted using e-Appeal are subject to a file size limit. E-filers are encouraged to scan documents in black and white and to adjust settings to reduce file size. If what would otherwise be a single pleading must be broken into multiple pleadings because of the size limit, each should contain the same descriptive title, together with a "Part" designation in parentheses (e.g., "Agency File (Part A)" and "Agency File (Part B)").

Pursuant to [5 C.F.R. § 1201.14\(j\)](#), electronic documents filed by an e-filer "shall be deemed to be signed by the e-filer for purposes of any regulation in part 1201, 1203, 1208, or 1209 of this chapter that requires a signature." This also applies to affidavits and declarations made under penalty of perjury that are filed

by an e-filer when the e-filer is the declarant. See [5 C.F.R. § 1201.14\(k\)](#). If the declarant is someone other than the e-filer, you should consult the e-Appeal policy governing electronic signatures found on the Board's website at <https://www.mspb.gov/e-appeal/policies.htm>.

Audio and Video Files

Audio and video files cannot be directly uploaded to e-Appeal by parties. Before any such file is added to the case record of an appeal, a party first must seek leave to do so by filing a pleading with the Board. If the Board grants leave to submit audio or video files as evidence, the Board will provide instructions on how to provide such evidence consistent with the e-Appeal policy governing audio and video files found on the Board's website at <https://www.mspb.gov/e-appeal/policies.htm>.

For more information about e-filing, read the Board's regulation at [5 C.F.R. § 1201.14](#), or visit e-Appeal (<https://e-appeal.mspb.gov/>).

DISCOVERY

Discovery is the procedure you may use to learn of any facts, documents, or other evidence the agency has that may be helpful to your case. I STAY discovery until resolution of the jurisdictional issue. Responses to initial discovery requests must be served promptly but no later than 20 days after the date of service of the other party's discovery request or the Board order. Unless you are filing a motion to compel, you must not submit your discovery requests and responses to the Board. If you do, they will be rejected and returned to you. The procedures used for discovery are at [5 C.F.R. §§ 1201.71-1201.85](#).

It is the policy of the Board to decide an appeal within 120 calendar days of receipt. The Board expects all parties to assist in the expeditious processing of this case by honoring requests for relevant documents and producing material witnesses without additional Board intervention.

The regulations require that the parties attempt to resolve a discovery dispute before filing a motion to compel. Thus, the party who disputes the other's compliance must discuss the anticipated motion with the other party, and they both must make a good faith effort to resolve the dispute and narrow their disagreement. They must also include with any motion a statement confirming that they have complied with this requirement. [5 C.F.R. § 1201.73\(c\)\(1\)](#).

RESPONSE TO MOTIONS

You may file a response or objection to any motion filed by the opposing party. Unless otherwise specified by me or the Board's regulations, your response or objection must be filed with this office and served upon the opposing party within 5 calendar days of the date that appears on that party's certificate of service. Any untimely response or objection may be rejected unless you show good cause for the delay in filing. **Note that if, prior to the close of the record, you fail to object to any of my written or verbal rulings on a matter raised by you or the opposing party, you may be precluded from challenging that ruling on petition for review.**

POLICY ON PROHIBITED CONDUCT

The Board has adopted a Policy on Prohibited Conduct to promote a safe and productive work environment for its personnel and the people it serves so that it may carry out its mission to protect the merit system principles and promote an effective Federal workforce free of prohibited personnel practices. The parties should familiarize themselves with the policy, which is on the Board's website (www.mspb.gov/appeals/files/Policy_on_Prohibited_Conduct_5_2_2024.pdf).

REGULATIONS

For more detailed information on these procedures, you should refer to the Board's regulations in 5 C.F.R. Part 1201. The regulations are available for

review in agency personnel offices, law libraries, some large public libraries, and at the Board's website (<http://www.mspb.gov>).

Paul DiTomaso

FOR THE BOARD:

Paul DiTomaso
Administrative Judge
Washington Regional Office
1615 M Street, NW
Washington, DC 20419
Phone: (703) 756-6250
Fax: (703) 313-2031
V/TDD

Enclosures

**MSPB SCHEDULE 752
REQUIREMENTS FOR SUBMITTING AGENCY FILE
VIA E-APPEAL**

The Agency File must be submitted via e Appeal. The requirements of [5 C.F.R. § 1201.14](#) apply.

General Information

All evidence submitted will be disclosed to the parties. Therefore, no classified document can be received in evidence unless accompanied by a statement that it is declassified and that full disclosure is permitted.

Materials Required to be Submitted Electronically

The agency file does not have to be paginated. E-Appeal will automatically paginate the submission.

To serve a paper copy of the agency file on a party who is not an e-filer, the agency should print out a paper copy of its e-file submission from e-Appeal. It will be paginated and will be identical to the electronic copy in the e-Appeal case record.

The agency file must be organized as described below. Failure to do so may result in rejection of the submission.

Tab 1. A narrative response to the appeal and all material issues raised by the appellant.

[Indicate whether the appellant is an “employee” as defined by [5 U.S.C. § 7511](#)(a)(1) or [39 U.S.C. § 1005](#)(a)(4)(A)(ii). If the appellant was barred from active duty during the notice period, explain the reasons and authority for that action.]

Tab 2. With the exception of Postal Service cases, a statement whether the appellant is covered by a collective bargaining agreement (CBA) and whether that agreement covers the action being appealed.

[If so, provide an electronic copy of the applicable CBA provision(s) and state whether the appellant has grieved the action. If the appellant has, submit an electronic copy of the grievance and indicate the date it was filed.]

Tab 3. A statement whether the appellant has filed a formal complaint of discrimination through the EEO process on the action being appealed.

[If so, indicate its current status, provide an electronic copy of the complaint, indicate the date the complaint was filed, and the agency’s final decision, if any.]

Tab 4. Electronic copies of all other documents which are relevant and material to this appeal.

[Provide electronic copies of the notice of proposed action; the appellant's written reply and summary of the oral reply, if any; the decision letter; the SF-50 (or other notification of personnel action) documenting the action; evidence supporting the action; and documentary evidence of any past disciplinary record relied upon in taking the action.]

Documents in tab 4 must be arranged in reverse chronological order, with the most recently dated document listed first (4a) and the oldest document listed last. Each document must be bookmarked and labeled, preferably by alphabet, and must include a brief description of the document with a date (e.g., "4a - May 10, 2023 - Letter of Decision"; "4b - Apr. 10, 2023 - Appellant's Response to Proposed Notice to Remove"; and "4c - Apr. 4, 2023 - Proposed Notice to Remove"). Do not include a copy of the appellant's initial appeal in the agency response file. It is already in the Board's appeal file.

PART 4 - Designation of Representative

Has an individual or organization agreed to represent you in this proceeding before the Board? (You may designate a representative at any time. However, it is unlikely that the appeals process will be delayed for reasons related to obtaining or maintaining representation. Moreover, you must promptly notify the Board in writing of any change in representation.)

() Yes (*complete the information below and sign*)

() No

DESIGNATION:

"I hereby designate _____ to serve as my representative during the course of this appeal. I understand that my representative is authorized to act on my behalf. In addition, I specifically delegate to my representative the authority to settle this appeal on my behalf. **I understand that any limitation on this settlement authority must be filed in writing with the Board.**"

Representative's address (*number and street, city, state and ZIP code*)

Address:

City:

State:

ZIP Code:

Representative's telephone numbers (*include area code*) and email address

Office:

Fax:

Other:

Email
Address:

SIGN BELOW TO MAKE YOUR DESIGNATION OF REPRESENTATIVE EFFECTIVE

Appellant's Signature

Date (MM/DD/YYYY)

PRIVACY ACT STATEMENT

AUTHORITY: The Merit Systems Protection Board (MSPB) may hear appeals of Federal agency actions only when it has been authorized to do so by law, rule, or regulation. [5 U.S.C. § 7701\(a\)](#); [5 U.S.C. § 1204](#).

PRINCIPAL PURPOSE(S): The information being collected during the course of processing this appeal is for the primary purposes of adjudicating an appeal filed pursuant to the above authorities, rendering MSPB decisions in these matters, and enabling case parties to have access to MSPB's electronic filing system. Additionally, some information about the appeal or case is used in depersonalized form for statistical purposes.

ROUTINE USE(S): The information being collected during the course of processing this appeal may be shared outside of MSPB as generally permitted under [5 U.S.C. § 552a\(b\)](#) of the Privacy Act of 1974, as amended. This includes sharing the information as necessary and authorized by routine uses published in system of records notice MSPB – 1, Appeals and Case Records, 90 Fed. Reg. 41598 (Aug. 26, 2025), and upon written request, by agreement, or as required by law. Decisions of the Merit Systems Protection Board are available to the public under the provisions of the Freedom of Information Act (FOIA), [5 U.S.C. § 552](#), and are posted to MSPB's public website. Other documents from individual appeal and case files may also be made available as required by FOIA.

DISCLOSURE: The disclosure of information being collected during the course of processing this appeal is voluntary; however, failure to provide the information requested may delay or prevent the proper docketing of a matter and/or the adjudication of a matter, which could result in the dismissal or delay of your appeal or matter, and/or prevent access to MSPB's e-Appeal system.

**UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD**

NOTICE

SUSPENDED APPEAL PRODEDURE

Both the appellant and the agency are entitled to have this appeal adjudicated as quickly as possible, usually within 120 days. *See* [5 U.S.C. § 7702\(a\)\(1\)](#). In some situations, however, the parties or the administrative judge may conclude that more time than is routinely provided should be granted. Therefore, the administrative judge may issue an order suspending the processing of an appeal for up to 30 days. The administrative judge may grant a second order suspending the processing of an appeal for up to an additional 30 days. No case may be suspended for more than a total of 60 days under these procedures. *See* [5 C.F.R. § 1201.28](#).

Should the parties contact the administrative judge during the period of suspension for assistance, and if the administrative judge's involvement is likely to be extensive, the administrative judge will notify the parties that it will be necessary to terminate the suspension and return the case to standard processing.

NOTICE

ALTERNATIVE DISPUTE RESOLUTION

In an effort to provide alternatives to the regulatory adjudication process, the Board offers the parties to the cases several dispute resolution options. This notice explains those possibilities so that you can consider them and discuss them with the administrative judge before you decide how to proceed. All options are cost-free. Resolving your case with the assistance of a professional who will guide the parties through the process offers the best chance of reaching a resolution that benefits both parties. Accordingly, the Board encourages you to be open to such a resolution at all times.

THE MEDIATION APPEALS PROGRAM

The Mediation Appeals Program (MAP) is a voluntary, confidential process in which the parties meet with an experienced mediator in a non-litigious, non-adversarial setting. Even more than other available settlement options, MAP encourages the parties to approach settlement with an open mind and to consider possible resolutions that may not be available in the adjudication process. Both parties must agree to mediation, and the Board must concur that it could be beneficial, given the circumstances of the case and of the parties. Because the case will be outside the normal adjudication process while it is in MAP, your agreement to mediate requires that you be ready to proceed to mediation without delay, and that you be willing to finalize any settlement you may reach expeditiously. Cases should normally not spend more than 45 days in MAP.

The mediator will meet with the parties and facilitate discussions between them to find common grounds on which to resolve the case. Mediations may be done in-person, virtually, or by telephone. If the efforts to resolve the case do not result in a settlement, the mediator will have no input into the adjudication of the case. Nonetheless, the parties will likely return to adjudication with a better understanding of what is important to them and to the other party, which often helps them reach a settlement during the adjudicatory process. MAP is further described online at <https://www.mspb.gov/appeals/mediationappeals.htm>.

If you have other questions regarding MAP, discuss them with the administrative judge, or you may contact the MAP coordinator at regionaloperations@mspb.gov.

THE SETTLEMENT JUDGE PROGRAM

A settlement judge is an administrative judge like the one assigned to your case, but they are assigned specifically and solely to discuss settlement options with the parties. Like the administrative judge assigned to your case, a settlement judge is skilled at evaluating the parties' positions and offering sound advice on the strengths and weaknesses of each party's position. A settlement judge plays no part in the processes and procedures through which a case goes during the course of the traditional adjudication process and has no input into the decision if the case does not settle. Thus, some parties feel more open to frank discussion of their cases and their settlement goals with a settlement judge.

Unlike MAP, both parties do not have to request the services of a settlement judge. However, there must be a genuine willingness by both parties to explore settlement before one is appointed. Accordingly, if after initial settlement discussions among the parties and the assigned administrative judge, a party believes the assignment of a settlement judge would be useful, a request may be made to the administrative judge. If an administrative judge concurs, a settlement judge will be assigned.

THE MSPB SETTLEMENT PROGRAM

The administrative judge assigned to decide your case will explore the possibility of settlement with the parties to almost all cases. Thus, you need not make any election if this is the option you prefer. Through the documents filed by the parties and the evidence submitted, the administrative judge becomes thoroughly familiar with the case and is in the best position to discuss the strengths and weaknesses of the case, as well as to evaluate not just the likelihood of success but also the validity of settlement offers made by the parties, and to suggest proposals for their consideration. Administrative judges often spend considerable time working with the parties to help them craft mutually beneficial settlements in lieu of adjudication, in which it is more likely that there will be a "winning" and a "losing" side. Any settlement discussions with the administrative judge have no effect on the ultimate outcome of the case if it does not settle.

ELECTRONIC FILING AT THE MSPB

Parties and representatives who register as e-filers can e-file virtually any type of pleading, including a new appeal. Registered e-filers receive electronically documents issued by the Board and pleadings filed by other e-filers. Registration and e-filing are done using the Board's e-filing system, e-Appeal, at <https://e-appeal.mspb.gov/>, which includes the following features:

- Both the Board and e-filers receive e-filed documents on the same day they are submitted.
- E-filers can enter their pleadings online or upload electronic documents.
- Documents can be submitted in many common electronic formats, including PDF, word-processing formats, and image formats (electronic files created by scanning paper documents). Please note that PDF Portfolio files or PDFs with attached or embedded files are **not** supported by e-Appeal.
- E-filers may submit their pleadings and supporting attachments in the form of declarations made under penalty of perjury. The Board gives greater evidentiary weight to statements in this form than to unsworn statements.
- Regardless of whether it is entered online or uploaded, each pleading is assembled into a single PDF document, which includes all attachments, and contains sequential page numbers. Pagination enables everyone involved to make specific citations to the record.
- If an e-filer is unable to complete a pleading during a single session, they can save their work and complete it during a later session.
- E-filers are provided with confirmation of e-filing and can print a copy of the assembled pleading or download it as a PDF document.
- Service of pleadings on other e-filers is automatic.
- E-Appeal notifies registered e-filers by email when new documents in their cases are posted. E-filers may download or read the documents by accessing their e-Appeal account. E-filers must ensure that email from @mspb.gov is approved by their email provider, and they must check their junk or spam folder routinely.

For further information about electronic filing, please review the Board's regulation at [5 C.F.R. § 1201.14](#), the requirements set forth in e-Appeal policies posted to the Board's website at <https://www.mspb.gov/e-appeal/policies.htm>, and the e Appeal site (<https://e-appeal.mspb.gov>).

CERTIFICATE OF SERVICE

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

Appellant

Electronic Service Sonya Green
Served on email address registered with MSPB

Appellant Representative

Electronic Service Marlene Laimeche
Served on email address registered with MSPB

Appellant Representative

Electronic Service Kevin Owen
Served on email address registered with MSPB

Appellant Representative

Electronic Service William Schubert
Served on email address registered with MSPB

Appellant Representative

Electronic Service Erik Snyder
Served on email address registered with MSPB

Agency Representative

Electronic Service Jennifer DeMaster
Served on email address registered with MSPB

Agency Representative

Electronic Service Danielle Hampton
Served on email address registered with MSPB

Agency Representative

Electronic Service Brian Miller
Served on email address registered with MSPB

06/11/2026
(Date)

Paul DiTomaso

Paul DiTomaso
Administrative Judge