

6.4 | BRIEFS IN SUPPORT OF REQUESTS FOR RECONSIDERATION

If you are submitting a brief in support of a request for reconsideration, your brief should focus on: a) that OFO's initial decision involved a clearly erroneous interpretation of material fact or law; or b) OFO's initial decision will have a substantial impact on the policies, practices, or operations of the agency.

A fact or point of law is "material" if changing it would affect the outcome of the case. You should clearly specify what material facts/law were misinterpreted in OFO's initial decision and reference documents and/or testimony in support of your argument. A request for reconsideration is not a second chance at an appeal and you must identify and address what you believe are errors in the original appellate decision upon which reconsideration is sought.

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