

NOTE: This disposition is nonprecedential.

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

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**RONALD J. HELFERTY,**  
*Plaintiff-Appellant,*

v.

**UNITED STATES,**  
*Defendant-Appellee.*

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2014-5043

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Appeal from the United States Court of Federal Claims in No. 1:11-cv-00358-CFL, Judge Charles F. Lettow.

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**JUDGMENT**

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TERRI R. ZIMMERMANN, Zimmermann Lavine & Zimmermann, P.C., of Houston, Texas, argued for plaintiff-appellant. On the brief was RAYMOND J. TONEY, Law Offices of Raymond J. Toney, of Emeryville, California.

DOUGLAS K. MICKLE, Senior Trial Counsel, Commercial Litigation Branch, National Courts, Civil Division, United States Department of Justice, of Washington, DC, argued for defendant-appellee. With him on the brief were STUART F. DELERY, Assistant Attorney General,

ROBERT E. KIRSCHMAN, JR., Director, and STEVEN J. GILLINGHAM, Assistant Director. Of counsel on the brief was MAJOR CINDIE BLAIR, United States Marine Corps, General Litigation Division, Office of the Judge Advocate General, United States Department of the Navy, of Washington, DC. Of counsel was JOHN S. GROAT, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (TARANTO, SCHALL, and CHEN, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

December 8, 2014

Date

/s/ Daniel E. O'Toole

Daniel E. O'Toole  
Clerk of Court