

NOTE: This disposition is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2009-1231

WESLEYAN COMPANY, INC.,

Appellant,

v.

John McHugh, SECRETARY OF THE ARMY,

Appellee.

Richard L. Moorhouse, Greenberg Traurig, LLP, of Washington, DC, argued for appellant. With him on the brief were L. James D'Agostino and David T. Hickey.

David A. Harrington, Senior Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for appellee. With him on the brief were Tony West, Assistant Attorney General, Jeanne E. Davidson, Director, and Brian M. Simkin, Assistant Director. Of counsel was Craig S. Clarke, United States Department of the Army, U.S. Army Legal Services Agency, Contract & Fiscal Law Division, of Arlington, Virginia.

Appealed from: Armed Services Board of Contract Appeals

Administrative Judge Monroe E. Freeman, Jr.

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## Judgment

ON APPEAL from the Armed Services Board of Contract Appeals  
in CASE NO(S). 53896

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (MICHEL, Chief Judge, NEWMAN and LOURIE, Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED January 5, 2010

/s/ Jan Horbaly  
Jan Horbaly, Clerk