

NOTE: This disposition is nonprecedential.

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

PAUL M. DEAN, JR.,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2010-5113

Appeal from the United States Court of Federal
Claims in No. 09-CV-392, Judge Margaret M. Sweeney.

JUDGMENT

MICHAEL D.J. EISENBERG, Law Office of Michael D.J. Eisenberg, of Washington, DC, argued for plaintiff-appellant.

JOHN S. GROAT, Trial Attorney, Commercial Litigation Branch, Civil Division, Classification Unit, United States Department of Justice, of Washington, DC, argued for defendant-appellee. With him on the brief were TONY WEST, Assistant Attorney General, JEANNE E. DAVIDSON, Director, and BRYANT G. SNEE, Deputy Director. Of

counsel on the brief was JOHN S. GOEHRING, General Litigation Division, United States Department of the Air Force, Arlington, Virginia. Of counsel was LAUREN N. DiDOMENICO.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, PLAGER, and LINN, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

April 11, 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk