

NOTE: This disposition is nonprecedential.

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

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**WAVERLEY VIEW INVESTORS, LLC,**  
*Plaintiff-Appellant*

v.

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

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2018-1785

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Appeal from the United States Court of Federal Claims  
in No. 1:15-cv-00371-SGB, Senior Judge Susan G. Braden.

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**JUDGMENT**

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KEVIN TAYLOR BAINE, Williams & Connolly LLP, Washington, DC, argued for plaintiff-appellant. Also represented by KATHERINE MORAN MEEKS; CLIFFORD J. ZATZ, MARK THOMSON, ROBERT TIMOTHY MCCRUM, Crowell & Moring, LLP, Washington, DC.

ERIKA KRANZ, Environment and Natural Resources Division, United States Department of Justice, Washington, DC, argued for defendant-appellee. Also represented by ERIC GRANT, JEFFREY H. WOOD.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, NEWMAN and  
MOORE, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

May 9, 2019  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court