

NOTE: This disposition is nonprecedential.

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

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**P & K CONTRACTING, INC.,**  
*Plaintiff-Appellant,*

v.

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

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2013-5044

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Appeal from the United States Court of Federal  
Claims in No. 09-CV-0399, Senior Judge James F. Merow.

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**JUDGMENT**

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CAROL A. SIGMOND, Law Office of Carol A. Sigmond, LLP, of New York, New York, argued for plaintiff-appellant. With her on the brief was Samuel A. Blaustein.

MATTHEW P. ROCHE, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for defendant-appellee. With him on the brief were STUART F. DELERY, Acting Assistant Attorney General, JEANNE E. DAVIDSON,

Director, and BRYANT G. SNEE, Deputy Director. Of counsel on the brief was NATHAN J. BANKSON, Litigation Division, United States Army Legal Services Agency, Fort Belvoir, Virginia.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, REYNA, and TARANTO, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

October 16, 2013  
Date

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk