

NOTE: This disposition is nonprecedential.

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

**KENNETH EARMAN, (on behalf of himself and all
others similarly situated),**
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2014-5053

Appeal from the United States Court of Federal
Claims in No. 1:10-cv-00617-LJB, Judge Lynn J. Bush.

JUDGMENT

ALAN I. SALTMAN, Smith, Currie & Hancock LLP, of
Washington, DC, argued for plaintiff-appellant. With him
on the brief was RICHARD W. GOEKEN. Of counsel was
Charles W. Surasky, of Atlanta, Georgia.

SHARON A. SNYDER, Trial Attorney, Commercial Liti-
gation Branch, Civil Division, United States Department
of Justice, of Washington, DC, argued for defendant-
appellee. With her on the brief were STUART F. DELERY,
Assistant Attorney General, ROBERT E. KIRSCHMAN, JR.,

Director, and BRYANT G. SNEE, Deputy Director. Of counsel was JOSHUA SCHNELL, Trial Attorney.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

January 12, 2015
Date

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