

NOTE: This disposition is nonprecedential.

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

DAVID G. DEBATTO,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2009-5114

Appeal from the United States Court of Federal
Claims in No. 08-CV-730, Judge Charles F. Lettow.

JUDGMENT

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

SHARI A. ROSE, Trial Attorney, Commercial Litigation
Branch, Civil Division, United States Department of
Justice, of Washington, DC, argued for defendant-
appellee. With her on the brief were TONY WEST,
Assistant Attorney General, JEANNE E. DAVIDSON,
Director, and BRYANT G. SNEE, Deputy Director.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (RADER, *Chief Judge*, LINN and DYK,
Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

September 13, 2010
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk