

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2007-5002

ROBERT BRACE,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

Neal R. Devlin, Knox McLaughlin Gornall & Sennett, P.C., of Erie, Pennsylvania, argued for plaintiff-appellant. With him on the brief was Richard A. Lanzillo.

Tamara N. Rountree, Attorney, Environment & Natural Resources Division, United States Department of Justice, of Washington, DC, argued for defendant-appellee. With her on the brief were Matthew J. McKeown, Acting Assistant Attorney General, Susan Cook, Attorney, and Kathryn Kovacs, Attorney. Of counsel was William B. Lazarus, Attorney. Of counsel on the brief was Dana Ott, Office of General Counsel, United States Environmental Protection Agency, of Washington, DC.

Richard P. Rector, DLA Piper US LLP, of Washington, DC, for amicus curiae, National Association of Home Builders.

Appealed from: United States Court of Federal Claims

Judge Francis M. Allegra

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2007-5002

ROBERT BRACE,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

DECIDED: October 10, 2007

Before MICHEL, Chief Judge, LOURIE, and GAJARSA, Circuit Judges.

PER CURIAM.

The judgment of the lower court is affirmed based upon the well-reasoned opinion of the trial court.