

NOTE: This disposition is nonprecedential.

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

FLUOR INTERCONTINENTAL, INC.,
Appellant,

v.

JOHN KERRY, Secretary of State,
Appellee.

2012-1553

Appeal from the Civilian Board of Contract Appeals in
Nos. 490, 491, 492, 716, 1555, and 1763, Administrative
Judge Jeri Kaylene Somers.

JUDGMENT

PATRICIA A. MILLETT, Akin Gump Strauss Hauer &
Feld LLP, of Washington, DC, argued for appellant. With
her on the brief were THOMAS P. MCLISH, RUTHANNE M.
DEUTSCH, and TROY D. CAHILL; and ANYA J. STEIN, of Los
Angeles, California. Of counsel were EDWARD J. PARROTT
and ROBERT M. FITZGERALD, Watt, Tieder, Hoffar &
Fitzgerald, LLP, of McLean, Virginia.

JEFFREY A. REGNER, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for appellee. With him on the brief were STUART F. DELERY, Principal Deputy Assistant Attorney General, JEANNE E. DAVIDSON, Director, KIRK T. MANHARDT, Assistant Director. Of counsel on the brief were JOHN C. SAWYER and THOMAS D. DINACKUS, Attorneys, United States Department of State, of Arlington, Virginia.

ROBERT A. LONG, Covington & Burling LLP, of Washington, DC, for amici curiae. Of counsel on the brief were ROBIN S. CONRAD and RACHEL L. BRAND, National Chamber Litigation Center, of Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

September 16, 2013
Date

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