

NOTE: This disposition is nonprecedential.

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

---

**NORMAN H. COHEN, ED.D.,**  
*Plaintiff-Appellant,*

v.

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

---

2012-5135

---

Appeal from the United States Court of Federal  
Claims in No. 07-CV-0154, Chief Judge Emily C. Hewitt.

---

**JUDGMENT**

---

MATTHEW J. DOWD, Wiley Rein LLP, of Washington,  
DC, argued for plaintiff-appellant. With him on the brief  
was PAUL M. KIM.

DAVID M. RUDDY, Trial Attorney, Commercial Litiga-  
tion 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, JOHN J. FARGO, Direc-  
tor, and JOHN A. HUDALLA, Attorney.

---

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, MAYER, and O'MALLEY, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

August 14, 2013  
Date

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