

NOTE: This disposition is nonprecedential.

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

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**KC RESOURCES, INC.,**  
*Plaintiff-Appellant*

v.

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

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2014-5142

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Appeal from the United States Court of Federal Claims in No. 1:13-cv-00393-EJD, Senior Judge Edward J. Damich.

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**JUDGMENT**

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JOHN MARKHAM TANNER, Fairfield & Woods, PC, Denver, CO, argued for plaintiff-appellant.

ELLEN MARY LYNCH, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for defendant-appellee. Also represented by JOYCE R. BRANDA, ROBERT E. KIRSCHMAN, JR., FRANKLIN E. WHITE, JR.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, DYK, and MOORE, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

June 11, 2015  
Date

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