

NOTE: This disposition is nonprecedential.

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

AVKARE, INC.,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2016-1630

Appeal from the United States Court of Federal
Claims in No. 1:15-cv-01015-EDK, Judge Elaine Kaplan.

JUDGMENT

JAMES S. PHILLIPS, Argus Legal, PLLC, McLean, VA,
argued for plaintiff-appellant. Also represented by JAMES
S. DELSORDO, Manassas, VA.

JAMES WILLIAM POIRIER, Commercial Litigation
Branch, Civil Division, United States Department of
Justice, Washington, DC, argued for defendant-appellee.
Also represented by MARTIN F. HOCKEY, JR., ROBERT E.
KIRSCHMAN, JR., BENJAMIN C. MIZER; MAURA CATHERINE
BROWN, ELYSE M. GRIFFITHS, Office of General Counsel,
United States Department of Veterans Affairs, Hines, IL.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, MOORE, and WALLACH, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

January 27, 2017

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner
Clerk of Court