

NOTE: This disposition is nonprecedential.

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

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**BP AMERICA PRODUCTION COMPANY,**  
*Plaintiff-Appellee*

v.

**UNITED STATES,**  
*Defendant-Appellant*

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2020-2018

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Appeal from the United States Court of Federal Claims  
in No. 1:18-cv-00607-TCW, Judge Thomas C. Wheeler.

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**JUDGMENT**

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JAMES MICHAEL AUSLANDER, Beveridge and Diamond,  
PC, Washington, DC, argued for plaintiff-appellee. Also  
represented by PETER SCHAUMBERG.

MOLLIE LENORE FINNAN, Commercial Litigation  
Branch, Civil Division, United States Department of Jus-  
tice, Washington, DC, argued for defendant-appellant.  
Also represented by BRIAN M. BOYNTON, MARTIN F.  
HOCKEY, JR., ROBERT EDWARD KIRSCHMAN, JR., PATRICIA  
M. MCCARTHY; JENNIFER B. DICKEY, United States Cham-  
ber of Commerce, Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, REYNA, and STOLL, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

October 6, 2021  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court