

NOTE: This disposition is nonprecedential.

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

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**THOMAS E. BAILEY,**  
*Plaintiff-Appellant*

v.

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

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2021-1624

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Appeal from the United States Court of Federal Claims in No. 1:18-cv-00458-NBF, Senior Judge Nancy B. Firestone.

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**JUDGMENT**

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MILTON C. JOHNS, Executive Law Partners, PLLC, Fairfax, VA, argued for plaintiff-appellant.

SONIA MARIE ORFIELD, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for defendant-appellee. Also represented by BRIAN M. BOYNTON, DEBORAH ANN BYNUM, MARTIN F. HOCKEY, JR.; HANK NGUYEN, Military Personnel Branch, General Litigation Division, United States Department of the Air Force, Joint Base Andrews, MD.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, *Chief Judge*, BRYSON and  
PROST, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

October 12, 2021  
Date

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