

# In the United States Court of Federal Claims

No. 19-1439

Filed: November 5, 2020  
NOT FOR PUBLICATION

**JAMES K. BAER,**

**Plaintiff,**

**v.**

**UNITED STATES,**

**Defendant.**

## ORDER

For the reasons provided in the Memorandum Opinion filed concurrently with this Order, the defendant's motion to dismiss (ECF 7) is **GRANTED**, and the complaint (ECF 1) is **DISMISSED with prejudice**, pursuant to Rule 12(b)(6) of the Rules of the Court of Federal Claims. The Clerk shall enter final judgment accordingly. No costs are awarded.

It is so **ORDERED**.

s/ Richard A. Hertling

**Richard A. Hertling**  
**Judge**