

# In the United States Court of Federal Claims

No. 21-1695C

Filed: November 4, 2021

**BLUE ORIGIN FEDERATION, LLC,**

*Plaintiff,*

v.

**UNITED STATES,**

*Defendant,*

and

**SPACE EXPLORATION  
TECHNOLOGIES CORP.,**

*Defendant–Intervenor.*

## ORDER OF JUDGMENT

For the reasons assigned in the Memorandum Opinion filed concurrently with this Order of Judgment, the defendant's motion to dismiss (ECF 60) under Rule 12(b)(1) and Rule 12(b)(6) of the Rules of the Court of Federal Claims is **GRANTED**. The defendant's motion for judgment on the administrative record (ECF 60) under Rule 52.1 of the Rules of the Court of Federal Claims is **GRANTED**. The defendant–intervenor's motion for judgment on the administrative record (ECF 62) is **GRANTED**. The plaintiff's motion for judgment on the administrative record (ECF 61) is **DENIED**.

So that the Court may release the opinion publicly, the parties shall meet and confer and jointly propose redactions to the Memorandum Opinion by **November 18, 2021**. Until the Court releases the opinion publicly, the parties are reminded that the protective order remains in force and they shall not disclose either the opinion or any portion of the opinion to any person not admitted to the protective order.

The Clerk is **DIRECTED** to enter judgment for the defendant and defendant–intervenor in accordance with the Memorandum Opinion and this Order and to close the case. No costs are awarded.

It is so **ORDERED**.

s/ Richard A. Hertling  
**Richard A. Hertling**  
**Judge**