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**Practice Areas**

- Government Contracts
- Litigation
- Homeland Security
- Middle East & North Africa

**Frederick (Rick) W. Claybrook, Jr.**, is a partner in the Washington, D.C., office of Crowell & Moring, LLP. He was graduated *cum laude* from Wheaton College (Illinois) in 1973 and with honor from Duke University School of Law in 1976. He was a member of the editorial board of the *Duke Law Journal*, in which he published two articles. Following his graduation from law school, he clerked for the Honorable Gerald Bard Tjoflat of the United States Court of Appeals for the Fifth Circuit.

Mr. Claybrook has litigated widely in the federal and state courts. He is a member of the bars of the District of Columbia and the State of Ohio, as well as the bars of the United States Supreme Court, several United States Courts of Appeals and District Courts, and the United States Court of Federal Claims. He is a member of the American Bar Association and its Public Contract Law and Litigation Sections, and he is on the national board of the Christian Legal Society. Among other publications, he has authored several law review articles, including *It's Patent that 'Plain Meaning' Dictionary Definitions Shouldn't Dictate: What Phillips Portends for Contract Interpretation*, 16 Fed. Cir. B.J. 91 (2006); *Standing, Prejudice, and Prejudging in Bid Protest Cases*, 33 Public Contract L.J. 535 (2004); and *Good Faith in the Termination and Formation of Federal Contracts*, 56 Md. L. Rev. 555 (1997).

Mr. Claybrook has practiced extensively in the government contract area and has appeared on frequent occasions before the Court of Federal Claims, the Government Accountability Office, the boards of contract appeals, and arbitrators. He has also been involved in several minitrials. He has specialized in bid protest actions before the Government Accountability Office, "Scanwell" actions before the district courts and the Court of Federal Claims, and in litigation of contract and subcontract disputes, including with the United States Postal Service. He also has substantial experience in terminations, changes, and other government and commercial contracting matters.

### Education

- Wheaton College (Illinois), A.B. (1973) *cum laude*
- Duke University School of Law, J.D. (1976) with honor

### Affiliations

Admitted to practice: District of Columbia, U.S. Supreme Court, several U.S. Courts of Appeals and District Courts, and the U.S. Court of Federal Claims

### Publications

- "Please Check Your Crystal Ball at the Courtroom Door – A Call for the Judiciary in Bid Protest Actions to Let Agencies Do Their Job," *Public Contract L. J.*, vol. 38, no. 2 (Winter 2009). Author: Frederick W. Claybrook, Jr.
- "It's Patent that 'Plain Meaning' Dictionary Definitions Shouldn't Dictate: What *Phillips* Portends for Contract Interpretation," 16 *Fed. Cir. B.J.* 91 (2006). Author: Frederick W. Claybrook, Jr.
- "Declaratory Judgment Actions - An Effective Tool for Serious Situations," *The Procurement Lawyer*, Vol. 41, No. 3 (Spring 2006). Co-Authors: Frederick W. Claybrook and J. Chris Haile.
- "Standing, Prejudice, and Prejudging in Bid Protest Cases," 33 *Public Contract L.J.* 535 (2004). Author: Frederick W. Claybrook, Jr.
- "Analysis & Perspective: The Particular Perils of the Sarbanes-Oxley Act for Government Contractors," *Federal Contracts Report*, vol. 78, no. 21 (2002). Co-Authors: W. Stanfield Johnson and Frederick W. Claybrook Jr.
- "A Modest Proposal: Why Not Award Lost Profits to a Disappointed Bidder?," 33 *The Procurement Lawyer* 8 (Summer 1999). Author: Frederick W. Claybrook, Jr.
- "The Initial Experience of the Court of Federal Claims in Applying the Administrative Procedure Act in Bid Protest Actions - Learning Lessons All Over Again," 29 *Public Contract L.J.* 1 (1999). Author: Frederick W. Claybrook, Jr.
- "The Termination Loss Ratio Formula: A Suggested Alternative to More Accurately Account for Constructive Changes," 71 *BNA's Federal Contracts Report* 236 (1999). Co-Authors: Frederick W. Claybrook, Jr., and Mark Bleiweis.
- "Why Not Bring a Bid Protest in the GSBICA - Or in the ASBCA, for That Matter?," 69 *Federal Contracts Report* 602 (May 1998). Author: Frederick W. Claybrook, Jr.

- "Good Faith in the Termination and Formation of Federal Contracts," 56 *M. Law Rev.* 555 (1997). Author: Frederick W. Claybrook, Jr.
- "The Federal Courts Improvement Act Needs Improvement: A Renewed Call for Its Amendment," 21 *Public Contract L.J.* 1 (1991). Author: Frederick W. Claybrook, Jr.
- "Section 1981 and Discrimination in Private Schools," 1976 *Duke L.J.* 125. Author: Frederick W. Claybrook, Jr.
- "Implied Waiver of a State's Eleventh Amendment Immunity," 1974 *Duke L.J.* 925. Author: Frederick W. Claybrook, Jr.

#### Alerts & Newsletters

- "CORRECTION: Congress to Vote on Radically Altering CFC's Bid Protest Timeliness Rules," *Government Contracts Bullet Points* (May 15, 2012). Contacts: Thomas P. Humphrey, Frederick (Rick) W. Claybrook Jr., James G. Peyster.
- "Routine Request Still "Undisputed" Years Later," *Government Contracts Bullet Points* (April 27, 2012). Contacts: Frederick (Rick) W. Claybrook Jr., W. Stanfield Johnson.
- "NAFI Or Not, Contractors Can Sign Away Their Right To Appeal," (March 16, 2012). Contacts: Frederick (Rick) W. Claybrook Jr., Brian T. McLaughlin.
- "NAFI Contractor Goes Straight to Court When CO Fails to Issue Final Decision," *Government Contracts Bullet Points* (January 24, 2012). Contacts: Frederick (Rick) W. Claybrook Jr., Brian T. McLaughlin.
- "Turn Square Corners or Sit on Sideline," *Government Contracts Bullet Points* (January 9, 2012). Contacts: Frederick (Rick) W. Claybrook Jr., Daniel R. Forman.
- "Chance to Change Pricing Generally Required After Corrective Action," *Government Contracts Bullet Points* (October 27, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., James G. Peyster.
- "Claim Accrues Before an Impasse," *Government Contracts Bullet Points* (September 28, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "How Do You Prove Prejudice in a Protest?," *Government Contracts Bullet Points* (September 26, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., James G. Peyster.
- "CFC Faults Agency for Circumventing Protests," *Government Contracts Bullet Points* (July 20, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., James G. Peyster.
- "Section 508 Compliance Takes Hit from the Federal Circuit," *Government Contracts Bullet Points* (June 23, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., James G. Peyster.

- "No Preferential T&C's Mods Allowed for Commercial Item Buys," *Government Contracts Bullet Points* (June 20, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., James G. Peyster.
- "Touhy Fooey," *Government Contracts Bullet Points* (May 6, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., Andy Liu.
- "Agency's "Mail Storm" Excuses Late Proposal," *Government Contracts Bullet Points* (March 31, 2011). Contact: Frederick (Rick) W. Claybrook Jr..
- "Take Care to Preserve Ordering and Option Rights," *Government Contracts Bullet Points* (February 23, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "Tucker Act Reaches More NAFIs Than Many Thought," *Government Contracts Bullet Points* (February 2, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., Brian T. McLaughlin.
- "Inadequate Justification for Restrictive Requirements Leads to Injunction," *Government Contracts Bullet Points* (January 10, 2011). Contacts: Frederick (Rick) W. Claybrook Jr., John E. McCarthy Jr..
- "Negative Responsibility Determination Overturned," *Government Contracts Bullet Points* (December 2, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., John E. McCarthy Jr..
- "Damages Available For Government Breach of CRADA," *Government Contracts Bullet Points* (November 24, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "Auction Concept Still Lives at CFC," *Government Contracts Bullet Points* (November 10, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., James G. Peyster.
- "Market Value is the Price of Holdover Tenancy," *Government Contracts Bullet Points* (October 12, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., Brian T. McLaughlin.
- "Technology Replacement Clause Requires Actual Replacement," *Government Contracts Bullet Points* (September 28, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., Brian T. McLaughlin.
- "Equal Treatment Applies Even If Minimum Discussions Threshold Met," *Government Contracts Bullet Points* (August 6, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., Peter Eyre.
- "Don't Want a Setoff? Better Say It," *Government Contracts Bullet Points* (July 13, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., Brian T. McLaughlin.
- "No Tolerance For Not Meeting Storage Requirements," *Government Contracts Bullet Points* (May 3, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., James G. Peyster.
- "CFC Has Jurisdiction Over "Nonprocurement" Protests," *Government Contracts Bullet Points* (March 29, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., Jonathan M. Baker.

- "No Warranty Without Express Language," *Government Contracts Bullet Points* (February 24, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., Richard Arnholt.
- "Check For Weed," *Government Contracts Bullet Points* (February 19, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., Richard Arnholt.
- "Blanket Purchase Order Does Not Equal Task Order Contract," *Government Contracts Bullet Points* (January 19, 2010). Contact: Frederick (Rick) W. Claybrook Jr..
- "Two Bites Allowed If In Different Spots On The Apple," *Government Contracts Bullet Points* (January 6, 2010). Contacts: Frederick (Rick) W. Claybrook Jr., Brian T. McLaughlin.
- "Limits On Bid Protest Review Reinforced," *Government Contracts Bullet Points* (December 8, 2009). Contact: Frederick (Rick) W. Claybrook Jr..
- "Many Small Projects Do Not Equal One Big Project," *Government Contracts Bullet Points* (September 28, 2009). Contacts: Frederick (Rick) W. Claybrook Jr., Peter Eyre.
- "Get There On Time, Or The Party's Over," *Government Contracts Bullet Points* (August 28, 2009). Contacts: Frederick (Rick) W. Claybrook Jr., David Z. Bodenheimer.
- "Fraud Or Indiscretion? It Depends Who You Are," *Government Contracts Bullet Points* (July 8, 2009). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "Inexact IDIQ Exercise = Constructive Change," *Government Contracts Bullet Points* (June 4, 2009). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "Federal Circuit Reaffirms Deferential OCI Standard," *Government Contracts Bullet Points* (May 6, 2009). Contacts: Frederick (Rick) W. Claybrook Jr., Thomas P. Humphrey, John E. McCarthy Jr..
- "Crystal-Ball Jurisprudence Critiqued," *Government Contracts Bullet Points* (April 17, 2009). Contact: Frederick (Rick) W. Claybrook Jr..
- "Fraudulent Claim Gets The Triple Whammy," *Government Contracts Bullet Points* (March 3, 2009). Contacts: Frederick (Rick) W. Claybrook Jr., Andy Liu.
- "B&P Costs Plus Injunctive Relief Permitted," *Government Contracts Bullet Points* (February 24, 2009). Contacts: Frederick (Rick) W. Claybrook Jr., Adelia R. Cliffe.
- "Tech Bundling Justified For Emergency Situations," *Government Contracts Bullet Points* (January 2, 2009). Contacts: Frederick (Rick) W. Claybrook Jr., Amy Laderberg O'Sullivan.
- "Protestor Bags Redo and B&P Costs, Too," *Government Contracts Bullet Points* (October 15, 2008). Contacts: Frederick (Rick) W. Claybrook Jr., John E. McCarthy Jr..
- "Alternative Procurement Yields Protestor Bid Preparation Costs," *Government Contracts Bullet Points* (October 2, 2008). Contact: Frederick (Rick) W. Claybrook Jr..

- "Competitive Range Of One Gets Close Scrutiny," *Government Contracts Bullet Points* (September 25, 2008). Contacts: Frederick (Rick) W. Claybrook Jr., David Z. Bodenheimer.
- "CFC Has "Pre-Procurement" Protest Jurisdiction," *Government Contracts Bullet Points* (August 29, 2008). Contacts: Thomas P. Humphrey, Frederick (Rick) W. Claybrook Jr..
- "Supremes Allow Paralegal Fees Recovery At Market Rates," *Government Contracts Bullet Points* (June 3, 2008). Contacts: Frederick (Rick) W. Claybrook Jr., Peter Eyre.
- "No Prime Liability = No Pass-Through," *Government Contracts Bullet Points* (May 6, 2008). Contacts: J. Chris Haile, Frederick (Rick) W. Claybrook Jr..
- ""//signed/" Doesn't Cut It," *Government Contracts Bullet Points* (April 30, 2008). Contacts: J. Chris Haile, Frederick (Rick) W. Claybrook Jr..
- "Beware The Cooperative Agreement," *Government Contracts Bullet Points* (April 21, 2008). Contacts: Frederick (Rick) W. Claybrook Jr., Richard Arnholt.
- "GAO To Staff New Contract Appeals Board," *Government Contracts Bullet Points* (April 9, 2008). Contact: Frederick (Rick) W. Claybrook Jr..
- "GAO Repeats Protective Order Warning," *Government Contracts Bullet Points* (April 3, 2008). Contact: Frederick (Rick) W. Claybrook Jr..
- "Court Of Federal Claims Examines Contracting Authority," *Government Contracts Bullet Points* (March 5, 2008). Contacts: Frederick (Rick) W. Claybrook Jr., Peter Eyre.
- "GAO Slams Protestor For Protective Order Violation," *Government Contracts Bullet Points* (February 5, 2008). Contact: Frederick (Rick) W. Claybrook Jr..
- "Potential OCI Short-Circuits Sole-Source Award," *Government Contracts Bullet Points* (January 17, 2008). Contacts: Frederick (Rick) W. Claybrook Jr., Thomas P. Humphrey.
- "Be Certain of The Sum Certain," *Government Contracts Bullet Points* (December 4, 2007). Contacts: Frederick (Rick) W. Claybrook Jr., John E. McCarthy Jr..
- "Interest Paid Is Recoverable In Damages," *Government Contracts Bullet Points* (October 15, 2007). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "Little Dab of Fraud Will Do Ya (In)," *Government Contracts Bullet Points* (September 19, 2007). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "Gotta Give A Guy A Fair Chance On The Redo," *Government Contracts Bullet Points* (September 14, 2007). Contacts: Frederick (Rick) W. Claybrook Jr., David Z. Bodenheimer.
- "Court Dumps CICA Stay Override," *Government Contracts Bullet Points* (September 5, 2007). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.

- "State Slammed For Adopting GAO Recommendation," *Government Contracts Bullet Points* (August 22, 2007). Contacts: Frederick (Rick) W. Claybrook Jr., Peter Eyre.
- "New Timeliness Rule Sinks Ferry's Protest," *Government Contracts Bullet Points* (June 27, 2007). Contacts: David Z. Bodenheimer, Frederick (Rick) W. Claybrook Jr..
- "Ambiguous Instructions Give Disqualified Offeror A Second Chance ," *Government Contracts Bullet Points* (June 12, 2007). Contact: Frederick (Rick) W. Claybrook Jr..
- "Bad Faith Conduct Pervades Contract," *Government Contracts Bullet Points* (April 25, 2007). Contacts: Frederick (Rick) W. Claybrook Jr., Brian T. McLaughlin.
- "Patent Case Has Implications For Contract Interpretation," *Government Contracts Bullet Points* (April 24, 2007). Contacts: Frederick (Rick) W. Claybrook Jr., W. Stanfield Johnson.
- "CFC Sets Out Contract Interpretation Standards," *Government Contracts Bullet Points* (March 26, 2007). Contacts: W. Stanfield Johnson, Frederick (Rick) W. Claybrook Jr..
- "Federal Circuit Opens Split Over Paralegal Reimbursement Under EAJA," *Government Contracts Bullet Points* (January 12, 2007). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "Lost Profits Available For Long-Term Contract Breach ," *Government Contracts Bullet Points* (November 28, 2006). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "It Doesn't Have To Be Fancy," *Government Contracts Bullet Points* (October 4, 2006). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "T4C, IDIQ Clauses Are No Safe Harbor Against Breach Damages," *Government Contracts Bullet Points* (September 12, 2006). Contacts: Frederick (Rick) W. Claybrook Jr., Brian T. McLaughlin.
- ""The New Contract Is Better" Isn't A Justification," *Government Contracts Bullet Points* (August 11, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "Board Wields Sanctions To Enforce CDA Subpoena Against DOJ," *Government Contracts Bullet Points* (August 1, 2006). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "Changing Court Rules Signal Changing Court ," *Government Contracts Bullet Points* (July 25, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "Contracting Authority Analyzed In 3 Cases," *Government Contracts Bullet Points* (June 16, 2006). Contacts: Frederick (Rick) W. Claybrook Jr., Peter Eyre.
- "Restricted Recompensation Given Close Scrutiny," *Government Contracts Bullet Points* (June 13, 2006). Contacts: Frederick (Rick) W. Claybrook Jr., Marc F. Efron.

- "Sample Tasks Must Be Reasonable Proxy For Entire Contract," *Government Contracts Bullet Points* (June 8, 2006). Contacts: Frederick (Rick) W. Claybrook Jr., Thomas P. Humphrey.
- "Order Of Precedence Clause Gets Boost," *Government Contracts Bullet Points* (June 6, 2006). Contacts: Frederick (Rick) W. Claybrook Jr., George D. Ruttinger.
- "You Makes Your Choice And Takes Your Chances," *Government Contracts Bullet Points* (May 30, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "You Must Ante Up To Play In The Game ," *Government Contracts Bullet Points* (May 11, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "Declaratory Judgment Actions Examined," *Government Contracts Bullet Points* (May 8, 2006). Contacts: Frederick (Rick) W. Claybrook Jr., J. Chris Haile.
- "Too Bad, So Sad," *Government Contracts Bullet Points* (April 25, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "Breach Of Good Faith Doesn't Require Malice ," *Government Contracts Bullet Points* (April 3, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "Union Obtains Protest Relief In District Court," *Government Contracts Bullet Points* (March 8, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "Chutzpah Goes Unrewarded," *Government Contracts Bullet Points* (February 24, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "No Out-Of-Pockets, No Interest ," *Government Contracts Bullet Points* (February 10, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "Termination Clause Trumps Cost-Sharing ," *Government Contracts Bullet Points* (January 30, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "Termination Clause Trumps Cost-Sharing," *Government Contracts Bullet Points* (January 23, 2006). Contact: Frederick (Rick) W. Claybrook Jr..
- "Collateral Contracts Rule Explained," *Government Contracts Bullet Points* (December 30, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Unfair Disqualification Results In Reinstatement ," *Government Contracts Bullet Points* (December 19, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Court Tells Agency To Address Illicit Advantage In Recompetition," *Financial Services Alert* (December 2, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Stay of FSS Procurement Requires Prompt Action," *Government Contracts Bullet Points* (November 9, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "USPS Auction Crash Lands ," *Government Contracts Bullet Points* (November 1, 2005). Contact: Frederick (Rick) W. Claybrook Jr..

- "Agency Playing Favorites Leads To Bad Faith Termination," *Government Contracts Bullet Points* (October 18, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- ""Certain" Means No Weasel Words," *Government Contracts Bullet Points* (September 30, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Evaluation Backup Gets Hard Look," *Government Contracts Bullet Points* (September 20, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Cancellation Of RFP Upended," *Government Contracts Bullet Points* (August 18, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Court Limits Good Faith Presumptions Of Government," *Government Contracts Bullet Points* (July 14, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Constitutionality Of SDB Preference Still Undecided ," *Government Contracts Bullet Points* (July 12, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Subs: Don't Forget The Disputes Clause," *Government Contracts Bullet Points* (July 6, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Potential Loss Of Workforce Supports Incumbent's Injunction," *Government Contracts Bullet Points* (June 16, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Contractor Must Actually Receive Final Decision To Start The Clock," *Government Contracts Bullet Points* (May 20, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Federal Circuit Clarifies Prejudice Review In Bid Protest Cases," *Government Contracts Bullet Points* (April 26, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Agency Can't Ignore Obvious Costs In Evaluation," *Government Contracts Bullet Points* (April 18, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Court Tackles Hubzone Issues In Two Cases," *Government Contracts Bullet Points* (April 12, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Using Available Funds For Other Purposes No Excuse For Breach," *Government Contracts Bullet Points* (March 22, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "Punctilious Performance Required For Recovery ," *Government Contracts Bullet Points* (March 4, 2005). Contact: Frederick (Rick) W. Claybrook Jr..
- "R-E-V-I-E-W Does Not Spell R-E-L-I-E-F," *Government Contracts Bullet Points* (December 6, 2004). Contact: Frederick (Rick) W. Claybrook Jr..
- "Court Reviews Past Performance Evaluation On Existing Contract," *Government Contracts Bullet Points* (November 1, 2004). Contact: Frederick (Rick) W. Claybrook Jr..

- "Partial Termination Doesn't Allow Repricing In Commercial Services Contract," *Government Contracts Bullet Points* (October 26, 2004). Contacts: J. Chris Haile, Frederick (Rick) W. Claybrook Jr..
- "Divided Federal Circuit Disallows Recovery Of Interest As Damages," *Government Contracts Bullet Points* (October 14, 2004). Contact: Frederick (Rick) W. Claybrook Jr..
- "Agency Liable For Negligent Estimate In LOE Contract," *Government Contracts Bullet Points* (October 7, 2004). Contact: Frederick (Rick) W. Claybrook Jr..
- "A Day Early Is Too Late," *Government Contracts Bullet Points* (September 29, 2004). Contacts: J. Chris Haile, Frederick (Rick) W. Claybrook Jr..
- "ASBCA Declares Material Breach, Allows Contractor To Stop Work," *Government Contracts Bullet Points* (September 7, 2004). Contact: Frederick (Rick) W. Claybrook Jr..
- "Cardinal Change In MOD Requires Competition," *Government Contracts Bullet Points* (August 23, 2004). Contact: Frederick (Rick) W. Claybrook Jr..
- "SDB Preference Constitutional," *Government Contracts Bullet Points* (August 2, 2004). Contact: Frederick (Rick) W. Claybrook Jr..
- "CO'S Opinion Due No Deference On Statutory Application," *Government Contracts Bullet Points* (July 30, 2004). Contact: Frederick (Rick) W. Claybrook Jr..
- "B&P Costs Don't Include Sub Costs Or Profit," *Government Contracts Bullet Points* (July 30, 2004). Contact: Frederick (Rick) W. Claybrook Jr..
- "Declaratory Relief Available For NAFI Contractor At Board," *Government Contracts Bullet Points* (May 26, 2004). Contact: Frederick (Rick) W. Claybrook Jr..
- "Contracting Officer's Final Decision Not Afforded RES Judicata Status," *Government Contracts Bullet Points* (May 10, 2004). Contacts: Frederick (Rick) W. Claybrook Jr., Amy Laderberg O'Sullivan.

### Speaking Engagements

- "Contract Claims and Disputes," Crowell & Moring's Ounce of Prevention Seminar (OOPS) (May 28, 2009). Co-Speakers: Frederick (Rick) Claybrook Jr., J. Chris Haile, Thomas A. Kruza III, Matthew W. Cheney.
- "Bid Protests & Beyond," Procurement in Times of Turmoil and Intense Review, Ounce of Prevention Seminar (OOPS), Crowell & Moring, Washington, D.C. (April 27-28, 2006). Presenters: Daniel R. Forman, Rick Claybrook, and John McCarthy.
- Government Contracts Masters Program, George Washington University School of Law (1997-2004). Guest Lecturer: Frederick W. Claybrook, Jr.

- "The Particular Perils of the Sarbanes-Oxley Act for Government Contractors (and Their Auditors)," Maryland Ass'n of CPAs (MACPA) (2003). Lecturer: Frederick W. Claybrook, Jr.
- "Changes for Engineers: Protecting Your Bottom Line," (2003). Video Lecturer: Frederick W. Claybrook, Jr.
- "Trial Preparation," Christian Legal Society Seminar (2003). Speaker: Frederick W. Claybrook, Jr.
- "Litigating Government Contracts Claims," ABA Public Contracts Section Seminar (1999). Lecturer: Frederick W. Claybrook, Jr.
- "Update on GAO and the Court of Federal Claims--Protests, Terminations, and Breaches," Crowell & Moring OOPS Conference (1999). Speaker: Frederick W. Claybrook, Jr.
- "Developments in Bid Protest Law--Can't Anybody Read an RFP Anymore?," Crowell & Moring OOPS Conference (1998). Speaker: Frederick W. Claybrook, Jr.
- "The Renewed Importance of the Court of Federal Claims in Bid Protest Cases," Crowell & Moring OOPS Conference (1998). Speaker: Frederick W. Claybrook, Jr.
- "What You Don't Know Can Help You," The United Technologies Corp. Government Contracts Seminar (1998). Guest Lecturer: Frederick W. Claybrook, Jr.
- "Termination or Breach--Where's the Money?," Crowell & Moring OOPS Conference (1997). Speaker: Frederick W. Claybrook, Jr.
- "Developments in Termination Law--A Study in First Principles Forgotten," Crowell & Moring OOPS Conference (1996). Speaker: Frederick W. Claybrook, Jr.