

CLIENT ALERT

ASBCA Dismisses Appeal for Lack of Jurisdiction After Government Claim Rescinded

July 9, 2018

In *Appeal of Lockheed Martin Aeronautics*, ASBCA No. 61480 (a C&M case) the Board dismissed a Government claim seeking \$24 million plus interest for alleged defective pricing, when the Government rescinded the underlying claim during litigation. In dismissing the appeal, the Board cited to ASBCA precedent holding that "[w]hen a contracting officer unequivocally rescinds a government claim, the government's action moots the appeal, leaving the Board without jurisdiction to entertain the appeal further."

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

Stephen J. McBrady

Partner – Washington, D.C.
Phone: +1.202.624.2547
Email: smcbrady@crowell.com

Nicole Owren-Wiest

Partner – Washington, D.C.
Phone: +1.202.624.2863
Email: nowrenwiest@crowell.com

Skye Mathieson

Counsel – Washington, D.C.
Phone: +1.202.624.2606
Email: smathieson@crowell.com

Payal Nanavati

Associate – Washington, D.C.
Phone: +1.202.624.2580
Email: pnnavati@crowell.com