

## CLIENT ALERT

### CFC Blasts AF and DOJ for Vexatious Litigation

Oct.31.2016

In the latest decision in *SUFI Network Servs., Inc. v. U.S.* (Oct. 19, 2016), the CFC found SUFI (represented by C&M) to be entitled to litigation attorney’s fees and expenses under the Equal Access to Justice Act, under both the “bad faith, vexatious litigation” exception to the American Rule and the “small business” provisions, for the entire duration of the proceedings at the ASBCA, the CFC, and the Federal Circuit, which have lasted at this point over a dozen years. The CFC awarded fees at counsel’s full, current rates to account for vexatious conduct and delay and also found that the “special factors” of exceptional results and uniquely experienced counsel supported that same award.

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

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