

CLIENT ALERT

Claim Precluded When Not Raised in Earlier Litigation

Oct.31.2012

In *Bowers Inv. Co. v. U.S.* (Oct. 15, 2012), the Federal Circuit held that a contractor, by not raising it in a previously litigated claim, was foreclosed from arguing an alternative theory for relief separately certified but arising out of the same transaction. The court's broad language that there is a "presumption that all claims arising from the same contract should be brought together" could be seized upon by the government when contractors file multiple claims under a single contract.

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

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