

## CLIENT ALERT

### Claim Preparation Attorney's Fees Award Affirmed

Apr.29.2015

In *SUFI Network Servs., Inc. v. U.S.* (April 24, 2015), a C&M case, the Federal Circuit affirmed the award of attorney's fees to the contractor for claim preparation granted by the Court of Federal Claims, remanding the matter back to the CFC only to recalculate the starting point for interest and to add overhead and profit to the award. The court rejected the government's principal attacks, finding that SUFI was permitted to sue in the CFC after the CO had failed to issue a timely final decision on its claim, fees in this non-CDA case were foreseeable and recoverable as breach damages, and C&M's standard rates were reasonable, while finding merit in SUFI's cross-appeal requesting overhead and profit as part of the breach damages available under the common law.

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

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