

CLIENT ALERT

Contracting Officer's Final Decision Not Afforded RES Judicata Status

May 10, 2004

In *Roxco, Ltd. v. United States* (Mar. 29, 2004), the COFC, among other things, rejected the Air Force's argument that Roxco's equitable adjustment claims, which were submitted more than a year after the Contracting Officer's default termination decision, should be barred through the application of res judicata, even if, as the Air Force asserted, those claims could have been raised as defenses to the default termination. The COFC reasoned that an extension of res judicata to contracting officers' final decisions would contradict the Contract Disputes Act's six-year statutory time limit for filing claims.

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

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