

CLIENT ALERT

DoJ “FOIA Post” Demonstrates Continued Policy To Disclose Unit Pricing

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On September 8, 2005, the Department of Justice issued a “FOIA Post” memorandum (<http://www.usdoj.gov/oip/foiapost/2005foiapost17.htm>) reflecting on last year's decision by the D.C. Circuit in *McDonnell Douglas Corp. v. U.S. Dep't of the Air Force*, 375 F.3d 1182, in which the court rejected DOJ's efforts to have the contractor's unit prices released. The “FOIA Post” discusses various ways that agencies can distinguish that decision in favor of disclosure of unit-price information and advises agencies to look to Fourth and Ninth Circuit decisions which supported the disclosure of unit prices.

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

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