

CLIENT ALERT

Federal Circuit Drops Bombshells on CDA Statute of Limitations and CAS "Materiality" Test

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In *Sikorsky Aircraft Corp. v. U.S.*, the Federal Circuit upended the prevailing case law on the CDA statute of limitations by holding that the six-year SOL for filing CDA claims is "not jurisdictional" and "need not be addressed before deciding the merits." In denying the merits of the government's \$80 million CAS 418 claim, the Federal Circuit also held that the cost of Sikorsky's management and supervision was "not a material amount of the total pool costs" because managers/supervisors comprised only 7 to 14 percent of the pertinent workforce, clarifying that materiality requires "a significant amount."

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

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