

Client Alert

Federal Circuit Upholds Corrective Action After Outcome Prediction

October 27, 2015

In *Raytheon Co. v. U.S.* (Oct. 23, 2015), the Federal Circuit upheld the CFC's denial of Raytheon's protest challenging corrective action taken in response to the GAO's outcome prediction statement that the unequal treatment challenge of a competitor would likely be sustained. The Federal Circuit agreed with the CFC that the Air Force's challenged pre-award communication with Raytheon amounted to unequal and misleading discussions and, therefore, the Air Force had a rational basis for reopening the bidding process.

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

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