

CLIENT ALERT

Likely OCI Due to Unequal Information Access Yields PI

June 17, 2011

In *NetStar-1 Gov't Consulting, Inc. v. U.S.*, the Court of Federal Claims granted a preliminary injunction after concluding that an unequal access to information organizational conflict of interest was likely given that the awardee had access under a prior contract with the same agency to a database that included information regarding NetStar-1's labor categories, job categories, and fully-loaded labor rates and that efforts accepted by the CO to mitigate that OCI were ineffective. The court concluded that after-the-fact declarations by the awardee's cost proposal preparers professing a lack of access to NetStar-1's proprietary information were insufficient to establish lack of prejudice. For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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