

CLIENT ALERT

Order Of Precedence Clause Gets Boost

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In *Medlin Constr. Group, Ltd. v. Harvey* (June 1, 2006), the Federal Circuit sided with the contractor, finding that only the contractor's interpretation did not read relevant provisions out of the contract. Of primary interest, though, was the alternative holding, in which the court held that, even if there had been an ambiguity, it would have been resolved against the government under the order of precedence clause, giving that clause seemingly greater weight than the court has previously in many "patent ambiguity" cases decided against the contractor.

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

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