

CLIENT ALERT

The Pen is Mightier: Typewritten Signature Invalidates CDA Claim

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In *ABS Development Corp.* (ASBCA Nov. 17, 2016), the Board dismissed for lack of jurisdiction certain contractor claims that had been “certified” by means of typewritten names in signature-font (rather than the acceptable handwritten or e-signatures) because a typewritten name “cannot be authenticated, and, therefore, is not a signature.” Because the CDA’s purpose is to bind contractors by means of a signed certificate that “cannot be easily disavowed by the purported author,” the Board held that *typed* signatures were jurisdictionally inadequate and could not be cured (via a substitute signature), a reminder to contractors that a critical element of litigating CDA claims is adherence to statutory requirements as well as the Board’s rules.

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

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