

Federal Contract Claims, Disputes, and Terminations

Our Government Contracts attorneys assist contractors with requests for equitable adjustment (REAs), claims, and contract terminations, whether a termination is for default or the convenience of the government. We also routinely counsel and represent contractors when the tables are turned and the government is pursuing payment from the contractor.

Wiley attorneys work closely with contractors to develop optimal strategies for recovery, while being sensitive to relationships with government customers and other stakeholders. If contractor or government claims cannot be successfully resolved short of litigation, we represent contractors in alternative dispute resolution proceedings or disputes litigation before the Armed Services Board of Contract Appeals (ASBCA), the Civilian Board of Contract Appeals (CBCA), and the U.S. Court of Federal Claims (COFC).

We have significant experience handling possible terminations for default and terminations for convenience. Our attorneys help contractors respond to show cause and cure notices in a manner to avoid default termination, preserve the business relationship, and put the contractual relationship back on track. We assist with developing legal defenses to termination and corrective action plans and negotiating resolutions short of default termination. And, if all else fails, we litigate terminations at the ASBCA, CBCA, and COFC. We assist contractors faced with a convenience termination with assembling, supporting, and negotiating settlement proposals that maximize the contractor's legitimate recovery.

Representative successes and experience include:

- Negotiate REAs with the government to resolve disputes short of litigation. Wiley's experienced team is equally skilled in assisting contractors holding fixed-price and/or commercial contracts as it is in helping contractors navigate the Cost Accounting Standards and FAR Part 31 Cost Principles.
- Litigate monetary claims at COFC and the Boards, including multiple nine-figure recoveries for contractors and the complete defeat of an \$8 billion government claim.
- Convert default terminations into terminations for convenience and maximize recovery of termination settlement proposals.
- Defend contractors' intellectual property rights, including a precedent-setting decision protecting contractors' rights in proprietary technical data.