

PRESS RELEASE

WRF Files Supreme Court Brief Urging Review of *En Banc* Federal Circuit Decision

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Washington, DC—The Federal Circuit Bar Association tapped WRF to prepare and file a brief in the Supreme Court of the United States urging the Court to review a recent split decision of the U.S. Court of Appeals for the Federal Circuit. In *Commonwealth Edison Co. v. United States*, 271 F.3d 1327 (Fed. Cir. 2001), the Federal Circuit upheld the retroactive imposition of Government assessments on utilities that purchased (directly or indirectly) Government-enriched uranium years ago, to help pay for the decontamination and decommissioning of the Government facilities that enriched that uranium. WRF attorneys Andrew G. McBride and Scott M. McCaleb asked the Court to review that decision and several related decisions on the bases that they (1) endorse retroactive self-dealing by the Government in contravention of the Supreme Court's Fifth Amendment and Government Contracts precedents, and (2) profoundly and adversely affect transactions between the Government and its contractors. A decision by the Supreme Court is expected in late May or early June.

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