In the United States Court of Federal Claims

No. 11-217 C
(Filed April 4, 2013)

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INNOVATION DEVELOPMENT ENTERPRISES OF AMERICA, INC.,	*
Plaintiff,	*
v.	*
THE UNITED STATES,	*
Defendant.	*
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ORDER

By order dated March 21, 2013, this court directed the government to file a Notice informing the court as to the status of the parties' settlement negotiations on plaintiff's requests for bid preparation costs and attorney fees in this matter. On March 29, 2013, defendant's counsel filed a Notice informing the court that the government had rejected plaintiff's initial settlement offer and had submitted a counter offer, which in turn, had been rejected by plaintiff. The Notice filed by defendant also makes mention of the government's suggestion to plaintiff that participation in the court's alternate dispute resolution (ADR) program might be beneficial to the parties. However, defendant's Notice gives no indication to the court as to whether plaintiff is willing to engage in ADR proceedings. Additionally, defendant's Notice requests that the court schedule a telephonic status conference to discuss further proceedings in this matter.

Historically speaking, the court's ADR program has been a positive and productive alternative to protracted, and sometimes costly, litigation proceedings. Where both parties are willing to actively participate, the results may be impressive. Here, while it is clear that defendant has evidenced interest in taking

advantage of the ADR option, the Notice filed by the government does not indicate whether plaintiff is amenable to engaging in ADR, as offered by the court. Prior to going forward with any further proceedings in this matter, therefore, the undersigned wishes to know whether plaintiff is interested in attempting to resolve the outstanding issues in this case through ADR.

In accordance with the foregoing, it is hereby **ORDERED** that **plaintiff** shall **FILE** a **Notice**, on or before **April 12, 2013**, indicating plaintiff's position on participating in the court's ADR program.

/s/Lynn J. Bush
Lynn J. Bush
Judge