

In the United States Court of Federal Claims

No. 20-1539C

(Filed: February 8, 2021)

NAVAL SYSTEMS, INC.,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On January 14, 2021, Plaintiff filed a revised motion to supplement the record, including a second declaration from its expert, Mr. Randolph E. Tipton. *See* ECF No. 21; ECF No. 21-1. On January 28, 2021, the government filed its response to Plaintiff’s revised motion, including a second declaration from its expert, Mr. Todd A. Edgell. *See* ECF No. 22. The government concluded its motion by requesting “that the Court deny plaintiff’s revised second motion to require defendant to supplement the record with relevant documents and dismiss plaintiff’s complaint.” *Id.* at 11.

On February 5, 2021, the Court held a telephonic oral argument to address both Plaintiff’s revised motion and the government’s request for dismissal of the case. *See* Minute Entry, Feb. 5, 2021. The Court – with the agreement of the parties – determined that the declarations from both parties’ experts would be included in the record for the Court’s consideration for the reasons discussed during oral argument (and to be explained in further detail in the Court’s ultimate opinion in this case). Additionally, both parties agreed that the affidavit from Plaintiff’s employees, Mr. Thomas M. Bock and Ms. Diana M. Waldorf, also should be considered by the Court. *See* ECF No. 1-1. Finally, the Court declined Plaintiff’s request to order the government to produce any additional documents or data.

Plaintiff further requested that the Court proceed with a schedule for motions for judgment on the administrative record (“MJAR”). The Court agreed, denying the government’s request to dismiss the case.

Accordingly, the Court hereby **ORDERS** that Plaintiff and Defendant shall file their respective MJAR on or before **Monday, February 22, 2021**. The parties shall file their response briefs on or before **Friday, March 5, 2021**. Plaintiff's MJAR and Defendant's cross-MJAR may not exceed 16 pages, double-spaced, 12 pt. Times New Roman font, with 1-inch margins. Response briefs may not exceed 8 pages and must comply with the same format limitations. Given the development of this case, the Court does not expect to require further briefing or oral argument in this matter.

IT IS SO ORDERED.

s/Matthew H. Solomson
Matthew H. Solomson
Judge