

In the United States Court of Federal Claims

AIRBOSS DEFENSE GROUP, LLC,

Plaintiff,

and

STRING KING LACROSSE, LLC,

Plaintiff-Intervenor,

v.

THE UNITED STATES,

Defendant,

and

NEW YORK EMBROIDERY STUDIO,
INC.,

Defendant-Intervenor.

No. 24-365

(Filed: January 22, 2025)

ORDER

On January 17, 2025, the Government filed an amended Administrative Record (AR) (ECF 102) pursuant to the Court's Order dated January 14, 2025, requiring that the AR be updated. ECF 99. The Court ordered this update to the AR to rule on the Government's Motion to Dismiss (ECF 92), wherein the Government argued that the protest is moot due to the Department of Health and Human Services' corrective action of awarding new contracts to Plaintiff, Plaintiff-Intervenor, and Defendant-Intervenor. ECF 92 at 1.

The Court has reviewed the updated AR and notes the addition of Tab 55 through Tab 62, under a new heading entitled "Corrective Action." *Compare* ECF 48 at 8 *with* ECF 102 at 8. The AR, which is chronologically organized, ends with Tab 62, dated June 14, 2024. *See* ECF 102 at 8, Tab 62 ("Memo to File, Rationale for Establishing the June 28, 2024, Proposal Submission Deadline, Amendment 0011 (June 14, 2024)"). There does not appear to be anything in the updated AR after June 14, 2024. Yet, the Government's Motion to Dismiss for mootness references contracts which the parties represent were awarded on August 26, 2024. ECF 93 at 4. Additionally, the Joint Status Report filed on January 10, 2025, includes as an exhibit a contract executed on September 30, 2024, which does not appear in the updated AR. *See* ECF 98-1. As

such, the AR appears to be missing key documents relevant to this litigation such as the source selection decision document, notifications of contract award, and the executed contracts. *See* Rules of the Court of Federal Claims, Appendix C, Section VII, Paragraphs 22(o) (requiring the AR to include “the agency’s source selection decision, including supporting documentation”) and 22(q) (requiring the AR to include “notification of contract award and the executed contract”).

As previously ordered in the Court’s Order dated January 14, 2025, and in accordance with the Rules of the Court of Federal Claims, Appendix C, Section VII, Paragraph 22, the Government is **ORDERED** to **FILE** an AR that includes all “core documents relevant to the protest,” including but not limited to the documents the Court noted above that appear to be missing from the AR, by **January 27, 2025**.

IT IS SO ORDERED.

s/ Philip S. Hadji
PHILIP S. HADJI
Judge