



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

31112

D-158125

June 25, 1973

Waldense D. Malouf, Esq.
Legal Arts Building, Suite 211
501 South Fort Harrison Avenue
Clearwater, Florida 33516

Dear Mr. Malouf:

We refer to your letter of May 21, 1973, with enclosures, and prior correspondence, asserting a claim in an amount of \$26,000 against the United States on behalf of Precision Plating and Metal Finishing Co., Inc., because Martin-Marietta wrongfully obtained a certain proprietary process from Precision and furnished it to the United States.

Your correspondence indicates that Precision obtained a District Court judgment against Martin-Marietta after you presented or had an opportunity to present all of the issues involved in the present claim. In Precision Plating & Metal Finishing, Inc. et. al., v. Martin-Marietta Corporation, 435 F. 2d. 1262 (5th Cir. 1970), the Court of Appeals affirmed the District Court's award of \$27,500, plus interest, representing the fair market value of the process at the time of Martin-Marietta's public disclosure. In the circumstances, we perceive no basis upon which a valid claim may now be asserted against the United States.

Sincerely yours,

Paul G. Dambling

Acting Comptroller General
of the United States

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