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United States General Accounting Office
Washington, DC 20548

Office of
General Counsel

In Reply Refer to: B-199047

June 19, 1980

The Honorable Alice Daniel
Assistant Attorney General
Civil Division
Department of Justice

Attention: Louis R. Davis, Attorney
Commercial Litigation Branch

Dear Ms. Daniel:

Subject: James A. Bailey v. U.S., No. 230-80C
Matthew H. Bird v. U.S., No. 231-80C
Gerald Bryan v. U.S., No. 232-80C
Joseph J. Folz, Jr. v. U.S., No. 233-80C
Kenneth W. Love v. U.S., No. 234-80C
Gerald L. Minkow v. U.S., No. 235-80C
John R. Patton v. U.S., No. 236-80C
Stephen D. Schiff v. U.S., No. 237-80C
Bradley L. Shelton v. U.S., No. 238-80C
Walter P. Thompson v. U.S., No. 239-80C
Ralph I. Wareham, II v. U.S., No. 240-80C
(Your reference: LRDavis:aft 154-230-80C
thru 154-240-80C)

This letter is in response to yours dated May 29, 1980, requesting a litigation report on the nearly identical petitions filed in the Court of Claims in the above-entitled cases on May 15, 1980, in which the plaintiffs allege that they were improperly separated from extended active duty as Reserve officers of the United States Air Force. The Court of Claims' opinions in Doyle v. United States, 599 F. 2d 984 (Ct. Cl. 1979), and Stewart v. United States, 611 F. 2d 1356 (Ct. Cl. 1979), appear to be pertinent to the issues presented in these petitions.

There is no record of any claim having been filed by any of the plaintiffs in the General Accounting Office on account of the matters set forth in the petitions, and we have no information about the facts of these cases other than the allegations contained in the

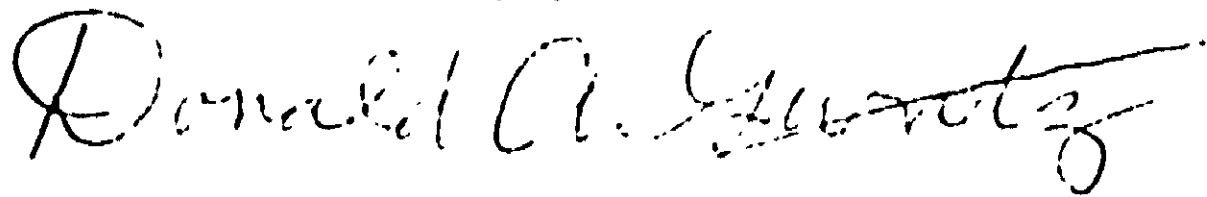


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petitions. Also, no record has been found in our Office of any active claim or demand which might furnish the basis for a cross action against any of the plaintiffs.

Further information concerning this matter may be addressed to me, telephone 275-5422.

Sincerely yours,

A handwritten signature in cursive script that reads "Donald A. Guritz". The signature is written in dark ink and is positioned above the typed name.

Donald A. Guritz
Attorney-Adviser