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**DECISION**



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

**FILE:** B-209672

**DATE:** February 3, 1983

**MATTER OF:** Leary Marine Ltd.

**DIGEST:**

Final adjudication by Federal district court of complaint precludes GAO consideration of same issues as raised in complaint.

Leary Marine Ltd., a Division of Dynamech, protested the award to any firm other than itself of a contract under Naval Regional Contracting Center (Philadelphia) invitation for bids No. NOO140-82-B-B584. Subsequent to the protest having been filed with our Office, we were advised that a complaint involving the same issues had been filed with a United States District Court and that the court had issued a final judgment on the merits of the complaint.

The final adjudication by the court of the issues raised in the Leary complaint precludes our consideration of the same issues. Maremont Corporation, B-186276, October 15, 1976, 76-2 CPD 334.

Accordingly, the protest is dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel

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