

ORIGINAL

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
BID PROTEST**

FILED

MAR 9 2015

**U.S. COURT OF
FEDERAL CLAIMS**

NATIONAL RECOVERIES, INC.)
)
 Plaintiff,)
)
 v.)
)
 THE UNITED STATES DEPARTMENT)
 OF EDUCATION)
 Defendant.)
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)
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)

Civil Action No. **15-242** C

APPLICATION FOR TEMPORARY RESTRAINING ORDER

Plaintiff, National Recoveries, Inc. (“NRI”), in support of its Application for Temporary Restraining Order (“Application”), states as follows:

In the instant case, NRI challenges Defendant’s decision, made through the United States Department of Education (“ED”), to deny NRI an Award Term Task Order under General Services Administration Contract No. GS-23F-0013U, Task Order No. ED-FSA-09-O-0025 (“the TO”). Twenty-one (21) other private collection agency (“PCAs”) were issued task orders with identical terms. Pursuant to the terms of those task orders, nine (9) of the PCAs were eligible for Award Term Extension Task Orders. Four (4) of the eligible PCAs were notified that ED had chosen not to award them Award Term Extension Task Orders. The other five (5) eligible PCAs (Financial Management Systems Investment Corp. (“FMS”), Account Control Technology, Inc. (“ACT”), Continental Service Group, Inc. (“ConServe”), GC Services LP (“GC”) and Windham Professionals, Inc. (“Windham”)) were awarded and/or notified that they would be awarded Award Term Extension Task Orders. NRI hereby respectfully moves this Court

for a temporary restraining order enjoining ED from awarding and/or proceeding with any Award Term Extension Task Orders to the other PCAs.

The grounds for this Application are set forth more fully in the accompanying Memorandum of Points and Authorities, filed concurrently herewith, together with the Complaint initiating this action.

Copies of the foregoing Application for Temporary Restraining Order have been provided, via overnight mail, to the Department of Justice, FMS, ACT, ConServe, GC and Windham, as set forth on the accompanying Certificate of Service.

Respectfully submitted,

**COHEN SEGLIAS PALLAS
GREENHALL & FURMAN**



Dated: March 9, 2015

Edward T. DeLisle, Esq.
United Plaza, 19th Floor
30 South 17th Street
Philadelphia, PA 19103
Tel: 215-564-1700
Fax: 267-238-4418
edelisle@cohenseglias.com

Of Counsel:
Maria L. Panichelli
Cohen, Seglias, Pallas Greenhall
& Furman, P.C.

*Attorney for Plaintiff
National Recoveries, Inc.*