

AMERICAN SMALL BUSINESS LEAGUE, Plaintiff, v. UNITED STATES SMALL BUSINESS ADMINISTRATION, N.D, CA No. C 08-00829 MHP, August 25, 2008.

Not a direct contracts case, but an interesting FOIA case. Plaintiff requested from the SBA a list of the small business entities and contract amounts contained in a Goaling Report which SBA referenced in a press release. SBA moves to dismiss for lack of jurisdiction and argues that the information is not an agency record as the database containing the information is a GSA, not a SBA record. The court denies the motion finding that the information is contained in a SBA agency record. The court notes "That the SBA may have had to direct GSA to generate computer code to extract and compile the list of small businesses and contract amounts requested by the League is encompassed in the SBA's obligation to 'search' for electronic records."

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