



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: April 16, 2009

CBCA 826

LANE FISHMORE ODESSA, L.P. and LANE FISHMORE, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Don C. Dennis of Boerner, Dennis & Franklin, PLLC, Lubbock, TX, counsel for Appellant.

Richard Hughes and Heather Cameron, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

VERGILIO, Board Judge.

ORDER

On July 23, 2007, this Board received a notice of appeal from Lane Fishmore Odessa, L.P. and Lane Fishmore, Inc. (collectively the contractor and appellant) concerning a lease, GS-07B-15527, with the respondent, the General Services Administration (Government), with occupancy by the Social Security Administration in Waxahachie, Texas. The contractor pursues payment of \$26,938.62, in adjustments to the lease, after the contracting officer issued a decision paying \$10,788.58 of the \$37,727.20 claimed by the contractor.

The Board has jurisdiction over this timely-filed appeal, pursuant to the Contract Disputes Act of 1978, as amended. 41 U.S.C. §§ 601-613 (2006). The parties agreed to proceed informally, after the submission of the appeal file, without a complaint or answer. They have settled the dispute. On April 14, 2009, the parties filed a joint request for a dismissal with prejudice.

Accordingly, the Board **DISMISSES WITH PREJUDICE** this appeal.

JOSEPH A. VERGILIO
Board Judge