



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: June 15, 2010

CBCA 1826

EVERGREEN REMODELING, INC.,

Appellant,

v.

DEPARTMENT OF AGRICULTURE,

Respondent.

M. Patton Echols, Gresham, OR, counsel for Appellant.

Zoey L. Kohn, Office of the General Counsel, Department of Agriculture, Portland, OR, counsel for Respondent.

KULLBERG, Board Judge.

ORDER

The Board docketed this appeal on December 10, 2009. On April 6, 2010, the Board received the parties' request to have this appeal resolved by a binding decision in an alternative dispute resolution (ADR) proceeding. A hearing was held on April 29, 2010. Under the terms of the parties' ADR agreement, a binding decision was to be issued no later than five working days from the date of the hearing.

On May 3, 2010, the Board was advised that the parties had reached a settlement in this appeal, and they requested that the issuance of a decision be deferred.

On June 4, 2010, appellant requested that the Board dismiss this appeal with prejudice.

Accordingly, this appeal is **DISMISSED WITH PREJUDICE**.

H. CHUCK KULLBERG
Board Judge