



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: June 13, 2007

CBCA 431

XEROX CAPITAL SERVICES,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Richard D. Lieberman of McCarthy, Sweeney & Harkaway, P.C., Washington, DC,
counsel for Appellant.

Michael J. Noble, Office of General Counsel, General Services Administration,
Washington, DC, counsel for Respondent.

DANIELS, Board Judge (Chairman).

ORDER

During 2001, 2002, and 2003, Xerox Capital Services (Xerox) provided to the Government of the District of Columbia equipment, supplies, and services for which the company believed it was not fully compensated. The items were all provided in response to delivery orders which were issued against a General Services Administration (GSA) contract.

Xerox submitted claims for payment of \$89,889.44 under these delivery orders. The company later filed with the General Services Board of Contract Appeals (GSBCA) an appeal of contracting officers' deemed denials of these claims. In doing so, Xerox reduced the amount it demanded to \$52,255.96.

Once the case was docketed at the GSBCA, counsel for Xerox and GSA made valiant attempts to secure from the Government of the District of Columbia whatever records that Government might have regarding the delivery orders. These efforts continued both before and after January 6, 2007, when, in accordance with statute, the GSBCA was terminated and its cases (including this one) were transferred to the newly-established Civilian Board of Contract Appeals. *See* Pub. L. No. 109-163, § 847, 119 Stat. 3136 (2006).

Eventually, on June 13, 2007, the parties filed a motion to dismiss the case with prejudice to its reinstatement. In the motion, the parties stated that they had entered into a settlement agreement which fully resolves all matters presented to the Board.

The case is **DISMISSED WITH PREJUDICE**.

STEPHEN M. DANIELS
Board Judge