



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: March 2, 2010

CBCA 425

801 MARKET STREET HOLDINGS, L.P.

and

801 MARKET STREET ASSOCIATES, L.P.,

Appellants,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Todd R. Metz and Kirk J. McCormick of Watt, Tieder, Hoffar & Fitzgerald, L.L.P.,
McLean, VA, counsel for Appellants.

Robert M. Notigan, Office of Regional Counsel, General Services Administration,
Philadelphia, PA, counsel for Respondent.

Before Board Judges **DANIELS** (Chairman), **BORWICK**, and **HYATT**.

HYATT, Board Judge.

This appeal is from a contracting officer's decision denying claims asserted under a lease of office space by the General Services Administration (GSA), respondent, from 801 Market Street Holdings, L.P. and 801 Market Street Associates, L.P. (referred to herein as 801 Market Street), appellants. The parties have resolved their dispute and have jointly

moved the Board to enter judgment for appellant in the amount of \$350,000, with payment to be made from the permanent indefinite judgment fund in accordance with 31 U.S.C. § 1304 (2006).

The parties further stipulate that the judgment amount includes costs, attorney fees, and interest pursuant to the Contract Disputes Act, 41 U.S.C. § 611; that neither party will seek reconsideration or relief from the final judgment or otherwise appeal the final judgment; and that upon entry of judgment, both parties will properly execute certificates of finality and 801 Market Street will submit its certificate to respondent.

Decision

The motion is granted. The appeal is **GRANTED IN PART**. GSA shall pay to 801 Market Street the sum of \$350,000. This sum shall be paid from the permanent indefinite judgment fund. 31 U.S.C. § 1304 (2006).

CATHERINE B. HYATT
Board Judge

We concur:

STEPHEN M. DANIELS
Board Judge

ANTHONY S. BORWICK
Board Judge