



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: April 7, 2011

CBCA 1960

JOHNSON CONTROLS GOVERNMENT SYSTEMS, LLC,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

David R. Johnson and Jamie F. Tabb of Vinson & Elkins LLP, Washington, DC, counsel for Appellant.

Joylyn Winter, Phillipa L. Anderson, and Cameron Gore, Office of the General Counsel, Department of Veterans Affairs, Washington, DC, counsel for Respondent.

Before Board Judges **GILMORE**, **POLLACK**, and **KULLBERG**.

KULLBERG, Board Judge.

On March 30, 2010, the Board docketed the appeal of Johnson Controls Government Systems, LLC (JCGS). On March 29, 2011, the parties submitted to the Board executed copies of a joint motion for judgment on stipulated settlement, a stipulation of settlement, and a certificate of finality, which settled this appeal and other claims related to the contract that had not yet been appealed. In an addendum to their settlement agreement, which the Board received on April 4, 2011, the parties requested that the Board enter judgment in the amount of \$7,217,432 with payment to be made through the judgment fund in accordance with

31 U.S.C. § 1304 (2006) and 41 U.S.C. § 7108. The parties have agreed that they will not seek reconsideration of, or relief from, the Board's decision, and each party will be responsible for its costs, attorney fees, and expenses incurred in the litigation of this appeal.

Decision

The Board **GRANTS IN PART** the appeal. The Government shall pay appellant the sum of \$7,217,432. Payment shall be made from the judgement fund. 31 U.S.C. § 1304; 41 U.S.C. § 7108.

H. CHUCK KULLBERG
Board Judge

We concur:

BERYL S. GILMORE
Board Judge

HOWARD A. POLLACK
Board Judge