



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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GRANTED IN PART: September 13, 2007

CBCA 707

MANAGEMENT STRATEGIES, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Meeta Reddy, President, and Mahesh Reddy, Vice President-Development, of Management Strategies, Inc., Bridgeport, CT, appearing for Appellant.

Tony A. Ross, Office of the General Counsel, Department of Veterans Affairs, Washington, DC, counsel for Respondent.

Before Board Judges **VERGILIO** and **KULLBERG**.

**KULLBERG**, Board Judge.

Management Strategies, Inc. (MSI or appellant) submitted a claim dated February 23, 2007, in the amount of \$57,573.38 under contract no. V00241C-00090, Spinal Cord Injury Rehabilitation Research and Development Center, Veterans Administration Medical Center, West Haven, CT. The contracting officer's April 11, 2007, decision denied the claim, and MSI timely appealed the denial of its claim to this Board. MSI requested that the Board

decide this appeal under its accelerated procedures.<sup>1</sup> Rule 53 (72 Fed. Reg. 36,794, 36,808 (July 5, 2007)). A hearing of this appeal was held on July 24, 2007, in New Haven, Connecticut.

On September 6, 2007, the parties filed with the Board a joint motion for judgment on a stipulated settlement. The parties' motion requested that the Board enter judgment "in the amount of \$44,000.00, as full and complete compensation for all costs, direct and indirect, including but not limited to impact, on both changed and unchanged work, and attorney's fees and all interest . . ." The parties have stipulated that they will not seek relief from or reconsideration of the Board's decision and that they will not appeal the Board's decision.

A copy of the settlement agreement executed by the parties was attached to their joint motion. The settlement agreement provided that payment would be made from the judgment fund. Although the settlement agreement at paragraph four made reference to the parties' agreement that this appeal could be dismissed with prejudice, the parties were advised in a conference call on September 6, 2007, that the Board would not dismiss this appeal with prejudice in that the parties were also requesting that this Board enter a judgment for the amount of the settlement. Board's Conference Memorandum (Sept. 10, 2007) at 2.

### Decision

The Board adopts the parties' settlement agreement, and this appeal is **GRANTED IN PART**. Appellant is awarded \$44,000 to be paid from the permanent indefinite judgment fund. 31 U.S.C. § 1304 (2000).

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H. CHUCK KULLBERG  
Board Judge

I concur:

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JOSEPH A. VERGILIO  
Board Judge

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<sup>1</sup> MSI cited Rule 203 of the rules of the former General Services Administration Board of Contract Appeals in its notice of appeal.