



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: February 28, 2012

CBCA 2290

FREE CONTRACTING, INC.,

Appellant,

v.

DEPARTMENT OF AGRICULTURE,

Respondent.

Robert F. Duncan and M. Jane Brannon of Jackson Kelly PLLC, Lexington, KY, counsel for Appellant.

Judith E. McKenzie-Abraham, Office of the General Counsel, Department of Agriculture, Atlanta, GA, counsel for Respondent.

McCANN, Board Judge.

ORDER

Free Contracting, Inc. appealed the decision of the contracting officer dated November 1, 2010, in connection with a dispute under contract no. AG-5C16-07-0008. This contract was awarded by the Department of Agriculture on September 19, 2007, for the construction of a new earthen dam. On February 23, 2012, the Board received a joint motion

to dismiss the appeal with prejudice because the parties have reached a settlement of all issues in the appeal. Accordingly, this appeal is **DISMISSED WITH PREJUDICE**.

R. ANTHONY McCANN
Board Judge