



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: January 19, 2007

CBCA 482

RB REALTY INCORPORATED,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Paul J. Moretti Sr. of Tillinghast Licht, LLP Providence, RI, counsel for Appellant.

Nancy E. O'Connell, Office of Regional Counsel, General Services Administration, Boston, MA, counsel for Respondent.

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

BORWICK, Board Judge.

This appeal involves a claim for \$22,634, for operating cost escalation rental payments allegedly due and owing under lease GS-01B(PEL)03890NEG for premises located at 198/200 Dyer Street, Providence, Rhode Island. The parties have requested that the Board enter a stipulated award and towards that end have submitted the following Stipulation for Entry of Judgment:

Appellant and respondent, through their attorneys, hereby stipulate and agree as follows:

That, pursuant to the terms of a Settlement Agreement between the parties, as of the date of execution, judgment shall be entered in favor of appellant and against respondent in the settlement amount of Nineteen Thousand and Eighty Six and 86/100 (\$19,086.86) Dollars inclusive of interest pursuant to the Contract Disputes Act of 1978, 41 U.S.C. § 601-613 and attorneys fees pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504, and all other costs. That portion of Appellant's claim for any period of time on and after October 13, 2005, shall be dismissed with prejudice. The parties will not seek reconsideration of, or relief from, the Board's decision, and they will not appeal the decision.

The parties intend that the stipulated award shall serve as a full and complete settlement of appellant's claim before the Board, including that portion of the claim for any period of time on or after October 13, 2005.

Decision

Pursuant to the stipulation of the parties, the Board **GRANTS** the appeal **IN PART**. Appellant is awarded \$19,086.86 inclusive of interest and attorney fees and all other costs.

ANTHONY S. BORWICK
Board Judge

We concur:

STEPHEN M. DANIELS
Board Judge

ROBERT W. PARKER
Board judge