



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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GRANTED IN PART: May 12, 2014

CBCA 2798

SUNRISE VA MEDICAL, LLC,

Appellant,

v.

DEPARTMENT OF VETERAN AFFAIRS,

Respondent.

Carter B. Reid of Watt, Tieder, Hoffar & Fitzgerald, L.L.P., McLean, VA, counsel for Appellant.

James C. Wagner, Office of General Counsel, Department of Veterans Affairs, Washington, DC, counsel for Respondent.

Before Board Judges **SOMERS**, **HYATT**, and **POLLACK**.

**POLLACK**, Board Judge.

On May 2, 2014, the parties submitted a joint stipulation for judgment on stipulated settlement, which provided that the parties had entered into an agreement through stipulation of settlement under which the issues subject to the appeal have all been resolved.

In settlement, the Government agrees to pay appellant \$3,400,000, such amount to include all costs, direct and indirect that are related to the appeal, including but not limited to attorney fees and interest due under the Contract Disputes Act (CDA) 41 U.S.C. §§ 7101-7109 (2012). The parties ask that the Board enter judgment for \$3,400,000 with payment

to be made through the permanent indefinite judgement fund. The settlement agreement provided with the joint stipulation of the parties provides that neither party will seek reconsideration of, or relief from the Board's decision and neither party will appeal the Board's decision.

Decision

The Board **GRANTS IN PART** the appeal. In accordance with the parties' stipulation and settlement agreement, the Board awards appellant \$3,400,000 for all claims under the subject appeal. Payment is to be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2012).

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HOWARD A. POLLACK  
Board Judge

We concur:

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JERI K. SOMERS  
Board Judge

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CATHERINE B. HYATT  
Board Judge