



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: November 24, 2008

CBCA 965

CM CONSTRUCTION, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

David D. Gilliss and Owen J. Curley of Niles, Barton & Wilmer, LLP, Baltimore, MD, counsel for Appellant.

Mel Myers, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

Before Board Judges **STERN**, **HYATT**, and **WALTERS**.

WALTERS, Board Judge.

On November 17, 2008, the parties, appellant, CM Construction, Inc. (CM), and respondent, the General Services Administration (GSA), filed a joint motion for judgment on stipulated settlement, stating that they had reached an amicable settlement of the issues in this appeal, asking for judgment from the Board in CM's favor in the amount of \$125,000, to be paid from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2000), and stating further that, under their stipulation of settlement, they had agreed that neither party will seek reconsideration of, or relief from, the Board's decision under Rules 26 and 27, respectively, and that neither party will appeal the Board's decision.

Decision

The appeal is **GRANTED IN PART**. In accordance with the parties' stipulation of settlement, the Board awards appellant the sum of \$125,000, to be paid from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2000).

RICHARD C. WALTERS
Board Judge

We concur:

JAMES L. STERN
Board Judge

CATHERINE B. HYATT
Board Judge