



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

January 6, 2011

CBCA 2135-FEMA

In the Matter of DIAMONDHEAD WATER AND SEWER DISTRICT

Ernest B. Abbott of FEMA Law Associates, PLLC, Washington, DC, counsel for Applicant.

Thomas M. Womack, Executive Director, Mississippi Emergency Management Agency, Pearl, MS, appearing for Grantee.

Valerie Rhoads, Office of Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, Atlanta, GA; and Linda D. Litke, Office of Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, Biloxi, MS, counsel for Federal Emergency Management Agency.

Before the Arbitration Panel consisting of Board Judges **SOMERS**, **STERN**, and **McCANN**.

Diamondhead Water and Sewer District (DWSD) asked the Board to arbitrate a dispute between it and the Federal Emergency Management Agency arising out of DWSD's request for a public assistance grant under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5172 (2006), to fund the relocation of DWSD's wastewater treatment plant as part of DWSD's complete replacement of the plant, as well as temporary repairs required to keep the plant operational until completion of the new plant.

The parties have filed a joint stipulation to dismiss this case with prejudice in accordance with the terms set forth in their settlement agreement, with all parties to bear their own costs.

Accordingly, the above-captioned arbitration is dismissed.

JERI KAYLENE SOMERS
Board Judge

JAMES L. STERN
Board Judge

R. ANTHONY McCANN
Board Judge