



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: May 20, 2011

CBCA 1853

ASCEND CONSTRUCTION MANAGEMENT, INC.,

Appellant,

v.

DEPARTMENT OF JUSTICE,

Respondent.

Harold M. Pressberg of Norton & Christensen, Goshen, NY, counsel for Appellant.

William D. Robinson and Christine M. Ciccotti, Office of General Counsel, Federal Bureau of Prisons, Department of Justice, Washington, DC, counsel for Respondent.

**SOMERS**, Board Judge.

ORDER

On January 7, 2010, Ascend Construction Management, Inc. (Ascend) appealed the final decision of a Department of Justice, Bureau of Prisons contracting officer denying Ascend's claim under contract number DJB21103033 for the construction of the Witness Security Unit at the Federal Correctional Institute in Otisville, New York.

On May 13, 2011, the parties filed a joint stipulation of dismissal with prejudice, stating that the parties have agreed to settle this matter and requesting that the appeal be dismissed with prejudice.

Accordingly, the appeal is **DISMISSED WITH PREJUDICE.**

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JERI KAYLENE SOMERS  
Board Judge