



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: May 4, 2016

CBCA 5080

COBURN CONTRACTORS, LLC,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Jason S. Coburn, Managing Member of Coburn Contractors, LLC, Montgomery, AL, appearing for Appellant.

Khaliah W. McLaurin, Office of General Counsel, Department of Veterans Affairs, Washington, DC, counsel for Respondent.

Before Board Judges **VERGILIO**, **ZISCHKAU**, and **SULLIVAN**.

ZISCHKAU, Board Judge.

On April 25, 2016, the parties submitted a joint request for a stipulated decision, advising that the parties had entered into a settlement agreement for the captioned appeal, and requesting a stipulated award in favor of appellant in the amount of \$150,000, which includes all interest, with each party responsible for its own costs, attorney fees, and expenses incurred in the litigation. This payment may be made through the permanent indefinite judgment fund, such amount to constitute complete compensation for the appellant and its subcontractors for any and all damages and costs, direct and indirect, due to the changes and impacts as alleged in the captioned appeal. The parties stipulate 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' stipulated settlement, the Board awards appellant \$150,000, which includes all interest, with each party responsible for its own costs, attorney fees, and expenses incurred in the litigation. Payment may be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2012).

JONATHAN D. ZISCHKAU
Board Judge

We concur:

JOSEPH A. VERGILIO
Board Judge

MARIAN E. SULLIVAN
Board Judge