



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: February 15, 2017

CBCA 5629

HATHAWAY DINWIDDIE CONSTRUCTION CO.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Philip E. Fagone, Belmont, CA, counsel for Appellant.

Jay Bernstein, Office of General Counsel, General Services Administration,
Washington, DC, counsel for Respondent.

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

KULLBERG, Board Judge.

On February 10, 2017, the parties submitted to the Board a joint motion for judgment on a stipulated settlement. The parties requested that the Board enter judgment in the amount of \$4,600,000, with payment to be made through the judgment fund in accordance with 31 U.S.C. § 1304 (2012) and 41 U.S.C. § 7108. Rule 25(b) (48 CFR 6101.25(b) (2015)). The parties have agreed that they will not seek appeal of, reconsideration of, or relief from the Board's decision, and that each party will be responsible for its costs, attorney fees, and expenses incurred in the litigation of this appeal.

Decision

The Board **GRANTS IN PART** the appeal. In accordance with the parties' joint motion, the Board awards appellant the stipulated settlement amount of \$4,600,000. Rule 25(b).

H. CHUCK KULLBERG
Board Judge

We concur:

JOSEPH A. VERGILIO
Board Judge

MARIAN E. SULLIVAN
Board Judge