



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: February 16, 2024

CBCA 7502, 7503

HAMIDULLAH, SON OF MOHAMMAD RAJAB,

Appellant,

v.

DEPARTMENT OF STATE,

Respondent.

Enayat Qasimi and Shamsi Maqsoodi of Whiteford, Taylor & Preston LLP, Washington, DC, counsel for Appellant.

Erin M. Kriynovich, Office of the Legal Adviser, Buildings and Acquisitions, Department of State, Washington, DC, counsel for Respondent.

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

SULLIVAN, Board Judge.

By decision issued January 17, 2024, the Board granted in part the motions for summary judgment filed by the parties. *Hamidullah, Son of Mohammad Rajab v. Department of State*, CBCA 7502, et al., 24-1 BCA ¶ 38,495. In an order issued the same day, the Board directed the parties to confer and file a joint stipulation as to the amounts owed, pursuant to the guidance provided in that decision. If the parties were unable to agree upon the amounts owed, the Board directed that the parties file their own calculations and explain why they were unable to agree.

On February 9, 2024, the parties filed separate responses to the Board's order. Appellant stated that the parties were unable to agree but provided no calculation as to the

amounts owed, advising the Board of its intent to appeal the Board's decision to the United States Court of Appeals for the Federal Circuit. Respondent, Department of State (DOS), calculated the following amounts owed for the two properties covered by the leases with a worksheet showing the calculations (interest is to be calculated in accordance with the Contract Disputes Act, 41 U.S.C. § 7108(b) (2018)):

Qasemi Lot – DOS owes appellant unpaid rent of \$254,669.80, plus interest calculated from February 2, 2022.

Polaski Lot – Appellant owes DOS a refund of \$61,399.65, plus interest calculated from July 19, 2022.

DOS's calculations are consistent with the Board's previous decision. Accordingly, we find that these are the amounts owed by the parties pursuant to the leases following the terminations for convenience.

Decision

The appeals are **GRANTED IN PART**. DOS owes appellant the net of the amounts set forth above.

Marian E. Sullivan
MARIAN E. SULLIVAN
Board Judge

We concur:

Joseph A. Vergilio
JOSEPH A. VERGILIO
Board Judge

Allan H. Goodman
ALLAN H. GOODMAN
Board Judge