



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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MOTION TO CORRECT CLERICAL AND MATHEMATICAL ERRORS DENIED:  
June 3, 2025

CBCA 8312-FEMA

In the Matter of EARLY EDUCATION AND CARE, INC.

Adam T. Ferguson of Ferguson Lange PLLC, Miami Beach, FL, counsel for Applicant.

Caleb Keller, Senior Attorney, and Kelly Ann Kennedy, Senior Attorney, Florida Division of Emergency Management, Tallahassee, FL, counsel for Grantee; Cassie Sykes, Recovery Appeals Officer, and Melody Cantrell, Recovery Legal Liaison, Florida Division of Emergency Management, Tallahassee, FL, appearing for Grantee

Jasmyn Allen, Office of Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, Washington, DC, counsel for Federal Emergency Management Agency.

Before the Arbitration Panel consisting of Board Judges **BEARDSLEY** (Chair), **GOODMAN**, and **SULLIVAN**.

**GOODMAN**, Board Judge, writing for the Panel.

On April 24, 2025, the panel issued its decision in this arbitration after both parties elected to have the case decided on the written record. On May 12, 2025, applicant filed a motion to correct clerical and mathematical errors pursuant to Board Rule 613 (48 CFR 6106.613 (2024)), which reads in relevant part:

The decision of a panel majority is the final administrative action on the arbitrated dispute and is judicially reviewable only to the limited extent provided by the Federal Arbitration Act (9 U.S.C. 10). Within 30 calendar days after issuing a decision, a panel may correct clerical, typographical,

technical, or arithmetic errors. A panel may not reconsider the merits of its decision resolving an eligibility or repayment dispute.

In its motion, applicant asks the panel to correct clerical and mathematical errors described as data entry and formula-based errors in record submissions from both applicant and FEMA. While applicant characterizes the alleged errors as “apparent on the face of the existing administrative record,” applicant did not identify the alleged errors while this arbitration was pending, after the record was closed, or before the panel issued its decision. After the panel issued its decision, applicant performed its review of the written record and submitted its motion in which it states that it “introduces no new evidence.” However, the motion is comprised of an eight-page narrative and sixty-four pages of exhibits detailing the alleged errors in the record, the suggested corrections, the resulting recalculations, and requested revisions to the panel’s decision.

Rule 613 allows the arbitration panel to correct clerical, typographical, technical, or arithmetic errors in its decision. Applicant has not identified any such errors. Rather, after the record was closed and the decision issued, which is the final administrative action, applicant seeks to correct alleged errors in the record made by the parties in their submissions and to have the decision revised accordingly. Rule 613 does not provide for such relief.

Applicant’s motion is **DENIED**.

Allan H. Goodman

ALLAN H. GOODMAN  
Board Judge

Erica S. Beardsley

ERICA S. BEARDSLEY  
Board Judge

Marian E. Sullivan

MARIAN E. SULLIVAN  
Board Judge