



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: June 18, 2007

CBCA 661

MVM, INC.,

Appellant,

v.

DEPARTMENT OF JUSTICE,

Respondent.

Tenley A. Carp of Cohen Mohr LLP, Washington, DC, counsel for Appellant.

Armando Rodriguez-Feo, Commercial Litigation Branch, Civil Division, Department of Justice, Washington, DC, counsel for Respondent.

**VERGILIO**, Board Judge.

ORDER

On February 28, 2007, this Board received a notice of appeal from MVM, Inc. (contractor) concerning its contract, MS-02-D-0002, with the United States Marshals Service. In a certified claim dated December 14, 2006, the contractor had requested payment of \$710,295.28. The contractor contends that this amount is based upon properly invoiced amounts (plus Prompt Payment Act interest) for work it performed pursuant to the contract in 2005 and 2006 and which was accepted by the Government. Having not received a decision by the contracting officer, the contractor filed this appeal based upon a deemed denial of its claim.

The parties engaged in discussions regarding the particulars of the invoices and payment. By a submission received on June 15, 2007, the contractor provided the Board with a statement that the parties have resolved the underlying dispute. The stated withdrawal of

the appeal is understood to mean a joint request for a dismissal with prejudice, as conveyed during a telephone conference on May 31.

The Board **DISMISSES WITH PREJUDICE** this appeal.

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JOSEPH A. VERGILIO  
Board Judge