



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: April 29, 2008

CBCA 162, 243

DAVID/RANDALL ASSOCIATES, INC.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

William H. Platt II and Henry J. Costa, Jr., of Flamm, Boroff & Bacine, PC, Blue Bell, PA, counsel for Appellant.

James E. Epstein, Office of the Solicitor, Department of the Interior, Newton, MA, counsel for Respondent.

McCANN, Board Judge.

ORDER

On March 18, 2005, the Department of the Interior issued a final decision terminating contract number C4860010302 for default for anticipatory repudiation. On June 6, 2005, David/Randall Associates appealed that final decision. On December 7, 2007, the parties signed a settlement agreement settling all outstanding issues in this appeal. At this point, however, the actual method of payment of the settlement amount to David/Randall Associates remained unresolved. Recently, the Board has been informed that complete and final payment has been made pursuant to the settlement agreement. On April 23, 2008,

appellant filed a motion to discontinue this matter based upon the execution of the settlement agreement. That motion is hereby granted.

Accordingly, these appeals are **DISMISSED WITH PREJUDICE**.

R. ANTHONY McCANN
Board Judge