



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: August 8, 2008

CBCA 154, 156, 157

SCOTT TIMBER COMPANY,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

Richard W. Goeken and Alan I. Saltman of Saltman & Stevens, P.C., Washington, DC, counsel for Appellant.

Brian J. Perron, Office of the Solicitor, Department of the Interior, Portland, OR, counsel for Respondent.

Before Board Judges **BORWICK**, **STERN**, and **STEEL**.

STEEL, Board Judge.

These appeals, which arise out of three timber sale contracts between Scott Timber Company and the Department of the Interior's Bureau of Land Management (BLM), were originally filed at the Department of the Interior Board of Contract Appeals. The matters were transferred to the Civilian Board of Contract Appeals and docketed as CBCA 154, 156, and 157 upon consolidation of the civilian agency boards of contract appeals. *See* Pub.L. No. 109-163, § 847, 119 Stat. 3136 (2006). The cases have been in suspense since October 2006 while the parties have engaged in ongoing settlement negotiations.

By letter of July 30, 2008, the parties notified the Board that they had entered into a settlement agreement dated July 28, 2008. The parties have stipulated that the Scott Timber Company is the prevailing party in these matters and that BLM shall pay the sum of \$955,831

plus applicable Contract Disputes Act interest calculated from November 10, 1994 to Scott Timber Company via electronic funds transfer (EFT), plus pay Scott Timber Company via EFT \$16,936 not subject to Contract Disputes Act interest, plus provide other valuable consideration as set forth in the settlement agreement. The parties additionally stipulated that the decision of the Board would be final and binding upon the parties and not subject to further appeal. Each party agreed to bear its own costs and attorney fees.

Decision

Accordingly, the appeals are **GRANTED IN PART**. In accordance with the parties' settlement agreement, the Board awards the sum of \$955,831 plus interest on said amount under the Contract Disputes Act, 41 U.S.C. § 611 (2000), beginning November 10, 1994. In addition, the Board awards the sum of \$16,936 without interest. Payment is to be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304.

CANDIDA S. STEEL
Board Judge

We concur:

JAMES L. STERN
Board Judge

ANTHONY S. BORWICK
Board Judge