



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: May 25, 2010

CBCA 1275

McKISSACK & McKISSACK OF D.C.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

Roger C. Jones and Nicole L. Campbell of Huddles Jones Sorteberg & Dachille, P.C., Columbia, MD, counsel for Appellant.

Emily E. Parkhurst and James L. Weiner, Office of the Solicitor, Department of the Interior, Washington, DC, counsel for Respondent.

DANIELS, Board Judge (Chairman).

McKissack & McKissack of D.C. (McKissack) rehabilitated the Lincoln Memorial Circle and approaches to the Lincoln Memorial in Washington, D.C., under a contract with the Department of the Interior's National Park Service.

During performance of this contract, numerous disputes arose between the parties. Some of them were resolved through modifications to the contract. As to others, McKissack submitted to the contracting officer a certified claim in the amount of \$4,545,436. The contracting officer denied the claim in its entirety, and McKissack appealed her decision.

After a lengthy mediation conducted by Board Judge Allan H. Goodman, the parties agreed to settle the case, with the agency to pay the contractor \$2,600,000 in exchange for the release, waiver, and discharge of “all claims or obligations which now exist or which may hereafter arise, whether known or unknown, or which have or could have been asserted against the United States as well as its officers and employees, arising out of or resulting from the Contract.”

McKissack has now filed a motion to dismiss the appeal with prejudice.

The motion is granted. The appeal is **DISMISSED WITH PREJUDICE.**

STEPHEN M. DANIELS
Board Judge