



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITHOUT PREJUDICE: October 7, 2010

CBCA 1921

MENDELIAN CONSTRUCTION, INC.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

David Rogers of Mendelian Construction, Inc., Richmond, CA, appearing for Appellant.

Stephen R. Palmer, Office of the Regional Solicitor, Bureau of Reclamation, Department of the Interior, Sacramento, CA, counsel for Respondent.

**McCANN**, Board Judge.

ORDER

Mendelian Construction Company (Mendelian) and the U.S. Bureau of Reclamation (Reclamation) entered into contract number 05CC201057 for bulkhead gate rehabilitation. On December 7, 2009, Mendelian filed a certified claim in the amount of \$359,851.14. The parties have entered into a settlement agreement settling all issues in this appeal. Reclamation has informed the Board that payment has been paid pursuant to the settlement agreement, and Mendelian has confirmed by e-mail that it has received payment. Pursuant to the settlement agreement Mendelian was to file a motion to dismiss the appeal, which it has not done. Reclamation has e-mailed Mendelian inquiring about its filing of the motion