



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: February 22, 2012

CBCA 2102

MURRAY-BENJAMIN ELECTRIC CO., L.P.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

William R. Hinchman and William J. Clements of Klehr Harrison Harvey Branzburg LLP, Philadelphia, PA, counsel for Appellant.

Nathan C. Guerrero, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

VERGILIO, Board Judge.

ORDER

On August 3, 2010, the Board received a notice of appeal from Murray-Benjamin Electric Co., L.P. (contractor) concerning its multiple award schedule contract, GS-35F-0088N, with the General Services Administration (agency). Following an audit and concerns about the price reduction clause, a contracting officer determined that the contractor was required to repay the agency \$364,562.12. The contractor timely pursued relief at this Board. 41 U.S.C.A. §§ 7101-7109 (West 2011). On February 21, 2012, the Board received from the parties a joint motion to dismiss with prejudice; the parties have settled their dispute.

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

JOSEPH A. VERGILIO
Board Judge