



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: September 11, 2014

CBCA 2839

XEROX CORPORATION,

Appellant,

v.

DEPARTMENT OF HOMELAND SECURITY,

Respondent.

Donald J. Walsh of Offit Kurman, P.A., Owings Mills, MD, counsel for Appellant.

Wilbert Jones, Office of Procurement Law, United States Coast Guard, Department of Homeland Security, Washington, DC, counsel for Respondent.

**VERGILIO**, Board Judge.

ORDER

On May 14, 2012, the Board received from Xerox Corporation (contractor) a notice of appeal concerning deemed denials of claims totaling \$141,282.64 relating to twelve unpaid invoices. The contractor claims entitlement to payment for delivery and performance pursuant to purchase orders with the Department of Homeland Security, United States Coast Guard (the agency) issued under various contracts. Having received neither payment nor a decision by the contracting officer on its claims, the contractor pursues relief at this Board pursuant to statute. 41 U.S.C. §§ 7101-7109 (2012).

During an initial telephone conference (before the submission of the appeal file, complaint, or answer), the parties agreed to stay formal proceedings as they engaged in a reconciliation process reviewing the invoices and explored resolution. On September 10, 2014, the Board received a request for a dismissal with prejudice; the parties have reconciled all invoices and payment has been made.

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

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JOSEPH A. VERGILIO  
Board Judge