



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: July 11, 2016

CBCA 4770

FOULGER-PRATT CONTRACTING, LLC,

Appellant,

v.

DEPARTMENT OF STATE,

Respondent.

Joseph A. McManus, Jr., Daniel K. Felsen, David J. Butzer, and James P. Carney of McManus & Felsen LLP, Washington, DC, counsel for Appellant.

Erin M. Kriynovich and John C. Sawyer, Office of the Legal Adviser, Buildings and Acquisitions, Department of State, Washington, DC, counsel for Respondent.

Before Board Judges **KULLBERG**, **WALTERS**, and **SULLIVAN**.

KULLBERG, Board Judge.

On July 1, 2016, the parties submitted to the Board executed copies of a joint motion for judgment on a stipulated settlement. The parties requested that the Board enter judgment in the amount of \$6,500,000, with payment to be made through the judgment fund in accordance with 31 U.S.C. § 1304 (2012) and 41 U.S.C. § 7108. Rule 25(b) (48 CFR 6101.25(b) (2015)). The parties have agreed that they will not seek appeal of, reconsideration of, or relief from, the Board's decision, and that each party will be responsible for its costs, attorney fees, and expenses incurred in the litigation of this appeal.

Decision

The Board **GRANTS IN PART** the appeal. The Department of State shall pay appellant the sum of \$6,500,000. Payment shall be made from the judgment fund. 31 U.S.C. § 1304; 41 U.S.C. § 7108.

H. CHUCK KULLBERG
Board Judge

We concur:

RICHARD C. WALTERS
Board Judge

MARIAN E. SULLIVAN
Board Judge