



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: December 8, 2017

CBCA 5419

APP ARCHITECTURE, INC,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

David M. Rickert of Auman, Mahan & Furry, Dayton, OH, counsel for Appellant.

Neil S. Deol, Office of General Counsel, Department of Veterans Affairs, Decatur, GA, counsel for Respondent.

LESTER, Board Judge.

ORDER

On December 6, 2017, appellant, App Architecture, Inc., filed an unopposed motion to dismiss this appeal, representing that the parties have executed a settlement agreement resolving the parties' dispute and that all terms of that settlement have been fulfilled. Appellant's motion is granted. Although appellant does not indicate in its motion whether the dismissal should be with or without prejudice, dismissal with prejudice is appropriate where based upon a bilateral settlement. *Quality Control International v. General Services*

Administration, CBCA 5590, 17-1 BCA ¶ 36,900, at 179,800. Accordingly, this appeal is **DISMISSED WITH PREJUDICE**.

HAROLD D. LESTER, JR.
Board Judge