



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: December 18, 2008

CBCA 750-FCIC

In the Matter of
ACE PROPERTY AND CASUALTY INSURANCE COMPANY
f/k/a CIGNA PROPERTY AND CASUALTY INSURANCE COMPANY
and
RAIN AND HAIL L.L.C.
(In re: EDWARD D. SCHWARTZ)

Bruce B. Green of Willson & Pechacek, P.L.C., Council Bluffs, IA; and Michael J. Davenport and Brad Meyer of Rain and Hail L.L.C., Johnston, IA, counsel for Appellant.

Maria Giatrakis, Office of the General Counsel, Department of Agriculture, San Francisco, CA, counsel for Federal Crop Insurance Corporation.

FENNESSY, Board Judge.

ORDER

Subsequent to the filing of this appeal, the parties engaged in settlement negotiations resulting in a resolution of all issues before the Board. Pursuant to the agreement between the parties, the Board grants appellant's motion to dismiss its appeal with prejudice. Each party will bear its own costs and attorney fees.

Therefore, this appeal is **DISMISSED WITH PREJUDICE**.

EILEEN P. FENNESSY
Board Judge