



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: February 1, 2008

CBCA 61

PRO KLEEN INDUSTRIAL SERVICES, INC.,

Appellant,

v.

DEPARTMENT OF HOMELAND SECURITY,

Respondent.

Jeff J. Spangler and Brian D. Shonk of Dager, Johnston, Miller, Ogilvie & Hampson, LLP, Lancaster, OH, counsel for Appellant.

Daniel L. Winand, Office of Procurement Law, United States Coast Guard, Department of Homeland Security, Washington, DC, counsel for Respondent.

STERN, Board Judge.

ORDER

Pro Kleen Industrial Services, Inc. (appellant) was awarded a contract requiring it to supply shower trailers to the United States Coast Guard for a period of six months. Appellant filed this appeal with the Department of Transportation Board of Contract Appeals (DOTBCA)¹ from the contracting officer's demand for a return of overpayments, in excess of \$150,000, under the contract.

¹ Pursuant to statute, all cases pending before the DOTBCA were transferred to the Civilian Board of Contract Appeals (CBCA) on January 6, 2007. Pub. L. No. 109-163, § 847, 119 Stat. 3136 (2006).

After the appeal was filed, the parties engaged in settlement negotiations and resolved all outstanding issues. The parties jointly move to dismiss the appeal.

The motion is granted. The appeal is **DISMISSED WITH PREJUDICE**.

JAMES L. STERN
Board Judge