



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITHOUT PREJUDICE: January 22, 2009

CBCA 1397-ISDA

CHILCHINBETO COMMUNITY SCHOOL, INC.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

R. Gehl Tucker and Leslie McLean of Hufford, Horstman, Mongini, Parnell & Tucker, P.C., Flagstaff, AZ, counsel for Appellant.

Sue E. Umshler, Office of the Regional Solicitor, Department of the Interior, Albuquerque, NM, counsel for Respondent.

SHERIDAN, Board Judge.

ORDER

On January 15, 2009, appellant, Chilchinbeto Community School, Inc. (CCS), filed with the Board a motion to dismiss this appeal without prejudice. In the motion, appellant represents that the parties have reached settlement. The motion was supported by a signed settlement agreement. Respondent, Bureau of Indian Education, Department of the Interior, indicates it does not oppose this motion.

Accordingly, pursuant to Board Rule 12(d), this appeal is **DISMISSED WITHOUT PREJUDICE**, subject to reinstatement within 180 calendar days after the date of this dismissal if the sanctions giving rise to the appeal are reinstated. The appeal shall be deemed to be dismissed with prejudice on the day after the last day such request could have been made.

PATRICIA J. SHERIDAN
Board Judge