



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

December 14, 2010

CBCA 1758-FEMA

In the Matter of SEWERAGE & WATER BOARD OF NEW ORLEANS

Jason Higginbotham, Director of Emergency Management, Gerard M. Victor, Special Counsel, and Brian A. Ferrara, Deputy Special Counsel, Sewerage & Water Board of New Orleans, New Orleans, LA, appearing for Applicant.

Mark S. Riley, Deputy Director, and William J. Patrigo, Appeals Specialist, Governor's Office of Homeland Security and Emergency Preparedness, Baton Rouge, LA, appearing for Grantee.

Chad T. Clifford, John B. Patterson, Linda M. Davis, and Kim A. Hazel, Office of Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, Washington, DC, counsel for Federal Emergency Management Agency.

Before the Arbitration Panel consisting of Board Judges **GILMORE**, **STERN**, and **SHERIDAN**.

The Sewerage & Water Board of New Orleans (S&WB) asked the Board to arbitrate a dispute between it and the Federal Emergency Management Agency (FEMA) arising out the S&WB's request for a public assistance grant under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5172 (2006), for reimbursement of costs incurred as a result of Hurricane Katrina.

On December 10, 2010, the Board received a letter from FEMA stating that the two project worksheets, which were the subject of this arbitration, have been obligated. The parties have advised that they have executed a settlement agreement and, therefore, are requesting that the Board dismiss the arbitration claim.

Accordingly, this arbitration claim before this Board is dismissed.

BERYL S. GILMORE
Board Judge

JAMES L. STERN
Board Judge

PATRICIA J. SHERIDAN
Board Judge