



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: January 12, 2010

CBCA 119-FCIC

In the Matter of FIREMAN'S FUND AGRIBUSINESS, INC.
and FIREMAN'S FUND INSURANCE COMPANY
(In re: ARROWHEAD FARMS PARTNERSHIP)

R. Jefferson Allen of Hunt, Ross & Allen, Clarksdale, MS, counsel for Appellant.

Danny L. Woodyard, Office of the General Counsel, Department of Agriculture, Little Rock, AR, counsel for Federal Crop Insurance Corporation.

VERGILIO, Board Judge.

ORDER

By submission dated April 5, 2004, Fireman's Fund AgriBusiness, Inc. and Fireman's Fund Insurance Company (collectively referred to here as the insurance company) filed a notice of appeal concerning a dispute under a Standard Reinsurance Agreement (SRA) in a compliance case, number SRCO-720-2000-3, involving policy 344550 of Arrowhead Farms Partnership. The Deputy Administrator for Compliance of the Risk Management Agency (RMA) of the Department of Agriculture concluded that there was an overpayment of indemnities totaling \$227,951 over four units. The insurance company disputes the determination of liability.

This timely-filed dispute is properly before this Board after a change in forum, 72 Fed. Reg. 31,437-38 (June 7, 2007). Following the submission of the appeal file, complaint, and answer, the parties engaged in discovery and settlement discussions. The parties have resolved this dispute. In a submission received at the Board on January 7, 2010, the insurance company requests a dismissal with prejudice of this matter. Based upon the request, this matter is **DISMISSED WITH PREJUDICE**.

JOSEPH A. VERGILIO
Board Judge