



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: March 30, 2012

CBCA 1926-ISDA, 2094-ISDA

NORTHERN ARAPAHO TRIBE OF INDIANS,

Appellant,

v.

DEPARTMENT OF THE INTERIOR

Respondent.

James J. Gallagher of McKenna Long & Aldridge, LLP, Los Angeles, CA, and Andrew W. Baldwin of Baldwin, Crocker, & Rudd, P.C., Lander, WY, counsel for Appellant.

Curt R. Sholar, Office of the Solicitor, Department of the Interior, Billings, MT, counsel for Respondent.

VERGILIO, Board Judge.

ORDER

On March 15, 2010, the Board received from the Northern Arapaho Tribe of Indians (contractor) a notice of appeal concerning a contracting officer's decision issued with regard to an audit report, IEA 07-4661, asserting a Government claim for the repayment of \$1,777,242 for fiscal and calendar year 2007 relating Tribe's contracts with the Bureau of Indian Affairs (agency). The matter was docketed as CBCA 1926-ISDA. On July 23, 2010, the Board received from the same contractor a notice of appeal concerning a contracting officer's decision issued with regard to an audit report, IEA 0805019, asserting a Government claim for the repayment of \$1,595,834 for fiscal and calendar year 2008 relating to contracts between the parties. The Board has jurisdiction over these appeals pursuant to

statutory provisions, 25 U.S.C. §§ 450m-1, 458cc, and agreements, which make applicable the Contract Disputes Act, as amended, 41 U.S.C.A. §§ 7101-7109 (West 2011).

On March 28, 2012, the Board received from the parties a joint settlement agreement and stipulation for dismissal with prejudice, in which the contractor indicates that it has adopted and will abide by its 2012 financial management policies manual, and the agency agrees not to pursue any claim for, or collection efforts against, the Tribe regarding or arising from the claims asserted (or which could have been asserted) by the agency in these appeals.

The Board grants the request; the appeals are **DISMISSED WITH PREJUDICE**.

JOSEPH A. VERGILIO
Board Judge