



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: March 5, 2013

CBCA 2590(1165)-REM

ENGAGE LEARNING, INC.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

Ellis B. Freatman, III and Virginia A. Cardwell of Roberts & Freatman, Ypsilanti, MI, counsel for Appellant.

Sarah T. Zaffina, Office of the Solicitor, Department of the Interior, Washington, DC, counsel for Respondent.

Before Board Judges **STERN**, **HYATT**, and **KULLBERG**.

HYATT, Board Judge.

This appeal challenged a contracting officer's decision denying a claim for payment for services rendered by appellant, Engage Learning, Inc., for technical and training assistance for schools operated by respondent, the Bureau of Indian Affairs (BIA).

Pursuant to Board Rule 25(b) (48 CFR 6101.25(b) (2012)), the parties have submitted a joint motion for judgment on a stipulated settlement in the amount of \$75,000, to be paid from the permanent indefinite judgment fund. The have also agreed that if the payment is

not made to Engage Learning within thirty days of the Board's order entering judgment, Contract Disputes Act interest shall begin to accrue on that date and will continue to accrue until payment is made to Engage Learning. In accordance with Board Rule 31, the parties state that they will not seek reconsideration of, or relief from the Board's decision, and they will not appeal the decision.

Decision

These appeals are **GRANTED IN PART** in the amount of \$75,000. Payment is to be made from the permanent indefinite judgment fund in accordance with 31 U.S.C. § 1304 (2006). In the event that payment is not made within thirty days of the date of this order, additional interest in accordance with the Contract Disputes Act, 41 U.S.C. § 7109 (Supp. IV 2011), will begin to accrue on that date and will continue to accrue until payment is made to Engage Learning.

CATHERINE B. HYATT
Board Judge

We concur:

JAMES L. STERN
Board Judge

H. CHUCK KULLBERG
Board Judge