



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED: September 7, 2016

CBCA 5412

XEROX CORPORATION,

Appellant,

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Respondent.

Jonathan S. Aronie of Sheppard, Mullin, Richter & Hampton LLP, Washington, DC, counsel for Appellant.

Jason A. Blindauer and Linda A. Santiago, Office of the General Counsel, Department of Health and Human Services, Washington, DC, counsel for Respondent.

Before Board Judges **SOMERS**, **KULLBERG**, and **CHADWICK**.

CHADWICK, Board Judge.

Shortly after this appeal was filed, the parties jointly filed a motion and stipulation complying with Board Rule 25(b) (48 CFR 6101.25(b) (2015)) for an award to the appellant of \$18,538, the amount sought in the notice of appeal. Having concluded that we have jurisdiction, and in particular that the appellant's certified claim concerning purchase order HHSN263200900344B, issued under schedule contract GS-25F-0062L, was correctly submitted to the ordering contracting officer rather than the schedule contracting officer, *see Sharp Electronics Corp. v. McHugh*, 707 F.3d 1367, 1374 (Fed. Cir. 2013), we grant the motion and the appeal.

Decision

The appeal is **GRANTED**. The appellant is awarded \$18,538.00.

KYLE CHADWICK
Board Judge

We concur:

JERI KAYLENE SOMERS
Board Judge

H. CHUCK KULLBERG
Board Judge