



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: November 17, 2016

CBCA 5295

JOSEPH GRASSER t/a GRASSER LOGGING,

Appellant,

v.

DEPARTMENT OF AGRICULTURE,

Respondent.

Anthony V. Clarke of The Clarke Firm, Bradford, PA, counsel for Appellant.

Jessica A. Franklin, Office of the General Counsel, Department of Agriculture, Milwaukee, WI, counsel for Respondent.

DANIELS, Board Judge (Chairman).

ORDER

The Forest Service, an entity within the Department of Agriculture, awarded Joseph Grasser t/a Grasser Logging (Grasser) a contract for the sale of timber in the Allegheny National Forest. The sale was terminated, and in a contracting officer decision, the Forest Service demanded that Grasser pay it \$132,627.61 under the Damages for Failure to Cut or Termination for Breach clause of the contract. Grasser appealed that decision to the Board. Later, the contracting officer revised his decision to reduce the agency's demand to \$76,334.49.

The parties have now settled the case and Grasser has filed a request for dismissal.

The request is granted. The case is **DISMISSED WITH PREJUDICE**.

STEPHEN M. DANIELS
Board Judge