



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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**NOTICE OF ISSUANCE OF OPINION**  
**ISSUED UNDER PROTECTIVE ORDER:** January 24, 2017

CBCA 3760, 4822, 5281

SMITH MANAGEMENT CONSTRUCTION, INC.,

and

BRC LEASE COMPANY, L.L.C.,

Appellants,

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Respondent.

Richard A. DeTar of McAllister, DeTar, Showalter & Walker, Easton, MD, counsel for Appellants.

Brian C. Caney, Office of the General Counsel, Department of Health Human Services, Washington, DC, counsel for Respondent.

**BEARDSLEY**, Board Judge.

NOTICE

On January 24, 2017, the Board issued its opinion on the respondent's motion for summary relief. The respondent's motion for summary relief was **DENIED**.

Because the Board's decision may contain information considered by the parties to be procurement sensitive or proprietary, the Board initially issues its decision subject in its entirety to a protective order. The parties are advised to inform the Board of any redactions they consider appropriate by close of business **Tuesday, January 31, 2017**. The Board will decide at that time what portions of the decision will be redacted when the decision is made public.

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ERICA S. BEARDSLEY  
Board Judge