

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Baco Epik Metis, JV) ASBCA No. 58540
)
Under Contract No. W912ER-08-C-0048)

APPEARANCES FOR THE APPELLANT: Mark E. Hanson, Esq.
Edmund M. Amorosi, Esq.
Smith Pachter McWhorter, PLC
Tysons Corner, VA

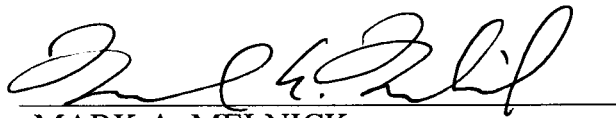
APPEARANCES FOR THE GOVERNMENT: Thomas H. Gourlay, Jr., Esq.
Engineer Chief Trial Attorney
Michaele J. Mandulak, Esq.
Engineer Trial Attorney
Jeremy Becker-Welts, Esq.
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Engineer Trial Attorneys
U.S. Army Engineer District, Middle East
Winchester, VA

OPINION BY ADMINISTRATIVE JUDGE MELNICK

By letter from appellant's counsel dated 31 December 2013, the parties have reported that they have settled this appeal and provided a settlement agreement. The parties have requested a consent judgment reflecting that agreement.

It is the Board's decision, pursuant to 41 U.S.C. §§ 7105(e), 7108(b), and the parties' stipulation and agreement, that the appeal is sustained. In the nature of a consent judgment, the Board makes a monetary award to appellant in the amount of \$1,500,000. This amount is inclusive of interest. No further interest shall be paid.

Dated: 9 January 2014


MARK A. MELNICK
Administrative Judge
Armed Services Board
of Contract Appeals

(Signatures continued)

I concur



MARK N. STEMLER
Administrative Judge
Acting Chairman
Armed Services Board
of Contract Appeals

I concur



PETER D. TING
Administrative Judge
Acting Vice Chairman
Armed Services Board
of Contract Appeals

I certify that the foregoing is a true copy of the Opinion and Decision of the Armed Services Board of Contract Appeals in ASBCA No. 58540, Appeal of Baco Epik Metis, JV, rendered in conformance with the Board's Charter.

Dated:

JEFFREY D. GARDIN
Recorder, Armed Services
Board of Contract Appeals