

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
TransWest Manufacturing, LLC) ASBCA No. 58586
)
Under Contract No. FA4861-10-C-A018)

APPEARANCE FOR THE APPELLANT: Theodore Parker, III, Esq.
Parker Nelson & Associates
Las Vegas, NV

APPEARANCES FOR THE GOVERNMENT: Lt Col James H. Kennedy III, USAF
Chief Trial Attorney
Erika L. Whelan Retta, Esq.
Trial Attorney

OPINION BY ADMINISTRATIVE JUDGE PAGE

The parties have settled this appeal for \$1,058,600.32. The parties agree that \$357,585.32 of this amount will be paid from contract funds. The remaining \$701,015.00 is to be paid from the United States Permanent Indefinite Judgment Fund, as authorized by 31 U.S.C. § 1304.

Therefore, it is the Board’s decision, pursuant to 41 U.S.C. §§ 7105(e), 7108 (b), and the parties’ stipulation and agreement, that this appeal is sustained. In the nature of a consent judgment, the Board makes a monetary award to appellant in the amount of \$701,015.00. If payment is not made within 60 days from the date of this Opinion, interest shall be paid on this amount pursuant to 41 U.S.C. § 7109 starting on the 61st day until date of payment.

Dated: 22 August 2014



REBA PAGE
Administrative Judge
Armed Services Board
of Contract Appeals

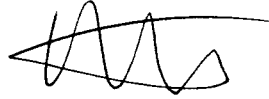
(Signatures continued)

I concur



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

I concur



RICHARD SHACKLEFORD
Administrative Judge
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. 58586, Appeal of TransWest Manufacturing, LLC, rendered in conformance with the Board's Charter.

Dated:

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