

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeals of - )  
 )  
Head Inc. - Diaz Joint Venture ) ASBCA Nos. 63476, 63477  
 )  
Under Contract No. W9126G-15-C-0253 )

APPEARANCES FOR THE APPELLANT: Michael H. Payne, Esq.  
Ryan Boonstra, Esq.  
Cohen Seglias Pallas Greenhall & Furman PC  
Philadelphia, PA

APPEARANCES FOR THE GOVERNMENT: Michael P. Goodman, Esq.  
Engineer Chief Trial Attorney  
Jeanelle S. Patel, Esq.  
Engineer Trial Attorney  
U.S. Army Engineer District, Fort Worth

OPINION BY ADMINISTRATIVE JUDGE THRASHER

The parties have resolved their dispute and request that the Board enter judgment in favor of appellant.

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 \$4,500,000. This amount is inclusive of Contract Disputes Act interest. No further interest shall be paid.

Dated: February 2, 2023



---

JOHN J. THRASHER  
Administrative Judge  
Chairman  
Armed Services Board  
of Contract Appeals

(Signatures continued)

I concur



---

RICHARD SHACKLEFORD  
Administrative Judge  
Vice Chairman  
Armed Services Board  
of Contract Appeals

I concur



---

OWEN C. WILSON  
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 Nos. 63476, 63477, Appeals of Head Inc. - Diaz Joint Venture, rendered in conformance with the Board's Charter.

Dated: February 2, 2023



---

PAULLA K. GATES-LEWIS  
Recorder, Armed Services  
Board of Contract Appeals