

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeals of --)
)
Kearfott Corporation) ASBCA Nos. 58197, 58865
)
Under Contract No. N00030-94-C-0041 *et al.*)

APPEARANCES FOR THE APPELLANT: Stephen D. Knight, Esq.
Ashley N. Barbera Amen, Esq.
Smith Pachter McWhorter PLC
Vienna, VA

APPEARANCE FOR THE GOVERNMENT: E. Michael Chiapas, Esq.
DCMA Chief Trial Attorney

OPINION BY ADMINISTRATIVE JUDGE PEACOCK

Following an Alternative Dispute Resolution mediation process, the parties entered into a settlement agreement and release and have jointly requested that the Board enter judgment in the above-referenced appeals.

It is the Board's decision, pursuant to 41 U.S.C. §§ 7105(e), 7108(b), and the parties' settlement agreement and release, that the appeals are sustained. In the nature of a consent judgment, the Board makes a monetary award in the amount of \$2,715,966.76, representing the sum of \$2,613,666.76 of principal due to appellant (the "principal amount"), and \$102,300.00 in interest owed on amounts previously paid by the government to appellant. Interest on the principal amount shall be calculated as follows: (1) interest on the amount of \$57,974.40 shall be calculated from 15 February 2012 through the date of payment in accordance with 41 U.S.C. § 7109; and (2) interest on the amount of \$2,555,692.36 shall be calculated from 30 April 2013 through the date of payment in accordance with 41 U.S.C. § 7109.

Dated: 6 May 2015



ROBERT T. PEACOCK
Administrative Judge
Armed Services Board
of Contract Appeals

(Signatures continued)

I concur



MARK N. STEMPLER
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 Nos. 58197, 58865, Appeals of Kearfott Corporation, rendered in conformance with the Board's Charter.

Dated:

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