

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
United Launch Services, LLC) ASBCA No. 61729
)
Under Contract No. F04701-98-D-0002)

APPEARANCES FOR THE APPELLANT: Carl J. Nichols, Esq.
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APPEARANCES FOR THE GOVERNMENT: Jeffrey P. Hildebrant, Esq.
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OPINION BY ADMINISTRATIVE JUDGE WOODROW

Previously, on June 29, 2016, the Board issued an entitlement decision sustaining ASBCA Nos. 56850 and 57542 and dismissing as moot ASBCA No. 57661. The Board remanded the matters to the parties for negotiation of quantum. By letter dated July 31, 2018, appellant stated that it wished the Board to proceed with quantum. The Board assigned ASBCA No. 61729 to the quantum phase of these matters.

The parties have now 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' settlement agreement and joint motion for entry of consent judgment, that this appeal is sustained. In the nature of a consent judgment,

the Board makes a monetary award to appellant in the amount of \$240,000,000.00. This amount is inclusive of interest. No further interest shall be paid.

Dated: November 8, 2018


KENNETH D. WOODROW
Administrative Judge
Armed Services Board
of Contract Appeals

I concur


RICHARD SHACKLEFORD
Administrative Judge
Acting 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 No. 61729, Appeal of United Launch Services, LLC, rendered in conformance with the Board's Charter.

Dated:

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