

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeals of --)
)
Lockheed Martin Corporation) ASBCA Nos. 59894, 59895
) 60422, 60423
)
Under Contract No. W31P4Q-08-C-0361 *et al.*)

APPEARANCES FOR THE APPELLANT: Terry L. Albertson, Esq.
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APPEARANCES FOR THE GOVERNMENT: E. Michael Chiapas, Esq.
DCMA Chief Trial Attorney
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Chantilly, VA

OPINION BY ADMINISTRATIVE JUDGE THRASHER

On 3 November 2016, the Board dismissed these appeals with prejudice subject to reinstatement only in the event the settlement was not consummated. The deadline to file any request to reinstate the dismissed appeals was 18 October 2017.

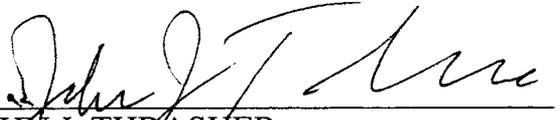
On 17 October 2017, appellant moved to reinstate the appeals, asserting that the settlement was not consummated for matters relating to Contract No. W31P4Q-08-C-0361. Appellant also requested an entry of a stipulated judgment in the amount of \$1,672,780 and indicated that the government did not oppose the request. On 18 October 2017, the Board reinstated the appeals to its docket.

During a 30 October 2017 conference call, the parties communicated the possibility of resolving the dispute without further involvement of the Board and agreed to subsequently provide a status. On 3 November 2017, the parties reiterated their request for a consent judgment in the amount of \$1,672,780, inclusive of interest, for matters relating to Contract No. W31P4Q-08-C-0361. The parties stated their joint agreement that the disputes arising under the other contracts at issue in these appeals remain dismissed in accordance with the Board's 3 November 2016 Order.

It is the Board's decision, pursuant to 41 U.S.C. §§ 7105(e), 7108(b), and the parties' 3 November 2017 joint request, that the appeals are sustained for the disputes arising under Contract No. W31P4Q-08-C-0361. In the nature of a consent judgment, the Board makes a monetary award to appellant in the amount of \$1,672,780. This amount is inclusive of interest. No further interest shall be paid.

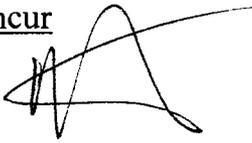
The disputes arising under the other contracts at issue in the captioned appeals remain dismissed with prejudice in accordance with the Board's 3 November 2016 Order of Dismissal.

Dated: 14 November 2017



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

I concur



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

I concur



HEIDI L. OSTERHOUT
Administrative Judge
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. 59894, 59895, 60422, 60423, Appeals of Lockheed Martin Corporation, rendered in conformance with the Board's Charter.

Dated:

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