

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeals of -)
)
J. R. Filanc Construction Company, Inc.) ASBCA Nos. 62580, 62581
) 62616, 62645
)
Under Contract No. N62473-17-C-3403)

APPEARANCES FOR THE APPELLANT: Kelly A. Floyd, Esq.
Dustin R. Jones, Esq.
Finch, Thornton & Baird, LLP
San Diego, CA

APPEARANCES FOR THE GOVERNMENT: Craig D. Jensen, Esq.
Navy Chief Trial Attorney
David M. Marquez, Esq.
Trial Attorney

OPINION BY ADMINISTRATIVE JUDGE HERZFELD

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 appeals are sustained. In the nature of a consent judgment, the Board makes a monetary award to appellant in the amount of \$2,045,138. This amount is inclusive of costs and Contract Disputes Act interest. No further interest shall be paid.

Dated: October 1, 2021



DANIEL S. HERZFELD
Administrative Judge
Armed Services Board
of Contract Appeals

(Signatures continued)

* The parties have also requested that these proceedings be stayed. There is no need to do so when judgment has been entered. However, the parties' obligation to identify any redactions to our September 16, 2021 Order by October 1, 2021 remains in effect.

I concur



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

I concur



J. REID PROUTY
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. 62580, 62581, 62616, 62645, Appeals of J. R. Filanc Construction Company, Inc., rendered in conformance with the Board's Charter.

Dated: October 1, 2021



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