

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
Atherton Construction, LLC) ASBCA No. 59505
Under Contract No. W912DW-04-C-0008)

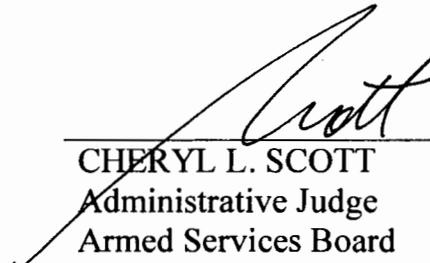
APPEARANCE FOR THE APPELLANT: Kevin A. Rosenfield, Esq.
Jackson Rosenfield LLP
Seattle WA

APPEARANCES FOR THE GOVERNMENT: Thomas H. Gourlay, Jr., Esq.
Engineer Chief Trial Attorney
Francis X. Eugenio, Esq.
Assistant District Counsel
U.S. Army Engineer District, Seattle

OPINION BY ADMINISTRATIVE JUDGE SCOTT

It is the Board's decision, pursuant to 41 U.S.C. §§ 7105(e), 7108(b), and the parties' Release and Settlement Agreement, that this appeal is sustained. In the nature of a consent judgment, the Board makes a monetary award to appellant in the lump sum amount of \$855,000.00 inclusive of interest. No further interest shall be paid.

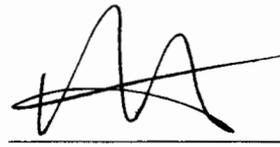
Dated: 27 March 2015


CHERYL L. SCOTT
Administrative Judge
Armed Services Board
of Contract Appeals

I concur


MARK N. STEMLER
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 No. 59505, Appeal of Atherton Construction, LLC, rendered in conformance with the Board's Charter.

Dated:

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