

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -)
)
Barton Malow Enterprises Inc., as) ASBCA No. 62187
successor-in-interest to its wholly owned)
subsidiaries, including L.C. Gaskins)
Construction Co. Inc. and Barton Malow)
Builders LLC)
)
Under Contract No. N69450-09-C-5068)

APPEARANCES FOR THE APPELLANT: Dirk D. Haire, Esq.
Joseph L. Cohen, Esq.
Fox Rothschild LLP
Washington, DC

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

OPINION BY ADMINISTRATIVE JUDGE THRASHER

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 appeal is sustained. In the nature of a consent judgment, the Board makes a monetary award to appellant in the amount of \$950,000. This amount is inclusive of Contract Disputes Act interest.

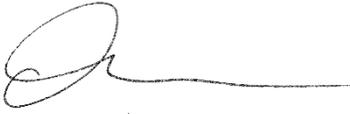
Dated: October 28, 2021



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

(Signatures continued)

I concur



OWEN C. WILSON
Administrative Judge
Vice 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 No. 62187, Appeal of Barton Malow Enterprises Inc., as successor-in-interest to its wholly owned subsidiaries, including L.C. Gaskins Construction Co. Inc. and Barton Malow Builders LLC., rendered in conformance with the Board's Charter.

Dated: October 28, 2021



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