

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Spectrum Healthcare Resources, Inc.) ASBCA No. 59559
)
Under Contract No. W91Y TZ-13-C-0016)

APPEARANCES FOR THE APPELLANT: J. Chris Haile, Esq.
Skye Mathieson, Esq.
Crowell Moring
Washington, DC

APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.
Army Chief Trial Attorney
MAJ Cali Y. Kim, Esq.
Trial Attorney

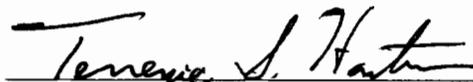
OPINION BY ADMINISTRATIVE JUDGE HARTMAN

By Alternative Disputes Resolution (ADR) agreement approved by the Board on 31 December 2015, the parties requested the appeal be decided by a single judge based upon the appeal record and a brief hearing on 9 May 2016, where each party could make a presentation by counsel and others on its behalf. The decision of the single judge: will have no precedential value; issue no later than 10 business days after conclusion of the May hearing; contain no findings of fact or conclusions of law; and shall be “final, conclusive, not subject to reconsideration or appeal,” and not set aside, except for fraud.

DECISION

The appeal is sustained. Appellant is entitled to recover a total of \$186,205.39, which is comprised of \$149,112.54 in early lease cancellation charges, \$8,648.53 in overhead, \$11,516.56 in G&A, and \$16,927.76 in profit. Additionally, appellant is entitled to recover interest under the Contract Disputes Act on the total recovered in accordance with 41 U.S.C. § 7109 from 17 June 2014, date of receipt of the claim, until paid.

Dated: 12 May 2016



TERRENCE S. HARTMAN
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 No. 59559, Appeal of Spectrum Healthcare Resources, Inc., rendered in conformance with the Board's Charter.

Dated:

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