

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of - )  
 )  
Whitehorn Construction, Inc. ) ASBCA No. 63606  
 )  
Under Contract No. N62473-16-C-3324 )

APPEARANCE FOR THE APPELLANT: Edward W. O'Connell, Jr., Esq.  
Lake Elsinore, CA

APPEARANCES FOR THE GOVERNMENT: Craig D. Jensen, Esq.  
Navy Chief Trial Attorney  
Katherine E. Arutunian, Esq.  
Trial Attorney  
San Diego, CA

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 \$460,517. This amount is inclusive of interest. No further interest shall be paid.

Dated: August 30, 2023

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

(Signatures continued)

I concur



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

I concur



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OWEN C. WILSON  
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. 63606, Appeal of Whitehorn Construction, Inc., rendered in conformance with the Board's Charter.

Dated: August 31, 2023



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