

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -- )  
EG&G Defense Materials, Inc. ) ASBCA No. 60276  
Under Contract No. DACA87-89-C-0076 )

APPEARANCES FOR THE APPELLANT: Terry L. Elling, Esq.  
Elizabeth N. Jochum, Esq.  
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Tysons Corner, VA

APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.  
Army Chief Trial Attorney  
MAJ Travis P. Sommer, JA  
Trial Attorney

SUMMARY BINDING DECISION BY ADMINISTRATIVE JUDGE WILSON

By ADR agreement approved by the Board on 6 April 2016, the parties requested that this appeal be decided by a “bench decision” at the conclusion of the ADR proceeding. This summary decision will only address the reasonableness and allowability of appellant’s compensation cost at issue in this appeal. The parties had also requested that the Board address whether the government’s claim for contract years 2004 and 2005 is barred by the applicable statute of limitations. However, at the hearing, appellant conceded that the statute of limitations was not applicable in the instant appeal (tr. 1/9). This decision has no value as precedent, cannot be cited in any other proceeding and cannot be appealed. It may not be set aside except for fraud.

DECISION

The Board finds that appellant’s compensation costs for contract years 2004 and 2005 are reasonable and allowable. Accordingly, the appeal is sustained.

Dated: 10 May 2016



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OWEN C. WILSON  
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. 60276, Appeal of EG&G Defense Materials, Inc., rendered in conformance with the Board's Charter.

Dated:

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