



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: October 6, 2009

CBCA 1686

FAIRMOUNT OFFICE L.L.C.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Robert P. Rutila of Buchalter Nemer, Scottsdale, AZ, counsel for Appellant.

Donald C. Mobly, Phoenix Regional Counsel, Department of Veterans Affairs, Albuquerque, NM, counsel for Respondent.

POLLACK, Board Judge.

ORDER

On July 31, 2009, Fairmount Office L.L.C. (Fairmount) timely appealed a final decision from the Department of Veterans Affairs (VA) denying Fairmount's request for additional compensation attributed to added build-out, installation, and inspection costs. On September 15, 2009, the Board received a stipulation of settlement, executed by the parties,

under which the VA agreed to pay Fairmount the sum set out in the stipulation and Fairmount agreed to dismiss the appeal with prejudice.

Accordingly, the appeal is **DISMISSED WITH PREJUDICE**.

HOWARD A. POLLACK
Board Judge