



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: August 16, 2016

CBCA 4830

FUSCO CORPORATION,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Carter Reid and Scott P. Fitzsimmons of Watt, Tieder, Hoffar & Fitzgerald, LLP, McLean, VA, counsel for Appellant.

Jay Bernstein, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

Before Board Judges **DANIELS** (Chairman), **KULLBERG**, and **WALTERS**.

WALTERS, Board Judge.

On August 16, 2016, pursuant to Board Rule 25(b) (48 CFR 6101.25(b) (2015)), the parties submitted a joint motion for entry of final judgment and joint certificate of finality, under which they move the Board to enter final judgment in favor of appellant, Fusco Corporation, in this appeal in the amount of thirteen million five hundred thousand dollars (\$13,500,000), pursuant to their settlement agreement of August 11, 2016. The parties indicate that their intent is to have payment of the judgment made to appellant from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2012), and that the stipulated judgment amount is inclusive of all costs and fees. In their joint motion, they state that, pursuant to Board Rule 31, they shall not seek review or reconsideration of the judgment, and they waive their rights to reconsideration under Rule 26, their rights to relief from judgment under Rule 27, and any rights to appeal the decision.

Decision

Pursuant to the parties' joint motion, the Board **GRANTS** the appeal **IN PART**. Appellant is awarded a total of \$13,500,000. Payment may be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304.

RICHARD C. WALTERS
Board Judge

We concur:

STEPHEN M. DANIELS
Board Judge

H. CHUCK KULLBERG
Board Judge