



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: April 29, 2008

CBCA 162, 243

DAVID/RANDALL ASSOCIATES, INC.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

William H. Platt II and Henry J. Costa, Jr., of Flamm, Boroff & Bacine, PC, Blue Bell, PA, counsel for Appellant.

James E. Epstein, Office of the Solicitor, Department of the Interior, Newton, MA, counsel for Respondent.

**McCANN**, Board Judge.

ORDER

On March 18, 2005, the Department of the Interior issued a final decision terminating contract number C4860010302 for default for anticipatory repudiation. On June 6, 2005, David/Randall Associates appealed that final decision. On December 7, 2007, the parties signed a settlement agreement settling all outstanding issues in this appeal. At this point, however, the actual method of payment of the settlement amount to David/Randall Associates remained unresolved. Recently, the Board has been informed that complete and final payment has been made pursuant to the settlement agreement. On April 23, 2008,

appellant filed a motion to discontinue this matter based upon the execution of the settlement agreement. That motion is hereby granted.

Accordingly, these appeals are **DISMISSED WITH PREJUDICE**.

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R. ANTHONY McCANN  
Board Judge