



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: August 26, 2020

CBCA 6615

HALBERT CONSTRUCTION COMPANY, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Jason R. Thornton of Finch, Thornton & Baird, LLP, San Diego, CA, counsel for Appellant.

David G. Fagan, Office of General Counsel, Department of Veterans Affairs, Portland, OR, counsel for Respondent.

Before Board Judges **KULLBERG**, **SHERIDAN**, and **LESTER**.

LESTER, Board Judge.

On August 24, 2020, appellant, Halbert Construction Company, Inc. (Halbert), and respondent, the Department of Veterans Affairs (VA), filed a joint motion requesting the entry of judgment in Halbert's favor in the amount of \$90,000 on a stipulated settlement, with payment to be made through the permanent indefinite judgment fund. The parties have agreed that they will not seek appeal of, reconsideration of, or relief from the Board's decision, and Halbert represents that it has waived all further claims that it might have for the recovery of interest, costs, attorney fees, and/or expenses incurred in the litigation of this appeal.

Decision

This appeal is **GRANTED IN PART**. The VA shall pay \$90,000, inclusive of interest, to Halbert in full settlement of CBCA 6615, with each party to bear its own costs, attorney fees, and expenses. This payment shall be made in accordance with 41 U.S.C. § 7108 (2018) and may be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304.

Harold D. Lester, Jr.

HAROLD D. LESTER, JR.

Board Judge

We concur:

H. Chuck Kullberg

H. CHUCK KULLBERG

Board Judge

Patricia J. Sheridan

PATRICIA J. SHERIDAN

Board Judge