



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: September 17, 2020

CBCA 6667

EAGLE ACQUISITION XIII, LLC dba CONCORDIA NURSING AND
REHABILITATION - RIVER POINTE,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Tenley A. Carp of Arnall Golden Gregory LLP, Washington, DC; and David L. Hobson of Arnall Golden Gregory LLP, Atlanta, GA, counsel for Appellant.

Jennifer L. Hedge, Office of General Counsel, Department of Veterans Affairs, Pittsburgh, PA, counsel for Respondent.

Before Board Judges **BEARDSLEY**, **SULLIVAN**, and **RUSSELL**.

SULLIVAN, Board Judge.

On September 16, 2020, the parties jointly moved for entry of a stipulated judgment in the amount of \$869,345.89 (settlement amount), to be paid to appellant, Eagle Acquisition XIII, LLC dba Concordia Nursing and Rehabilitation - River Pointe (Concordia), through the permanent indefinite judgment fund in accordance with 31 U.S.C. § 1304 (2018). *See* 48 CFR 6101.25(b) (2018). The settlement amount is inclusive of all costs, fees, and interest. Interest calculated pursuant to the Contract Disputes Act (CDA), 41 U.S.C. § 7109, on the settlement amount shall begin to accrue on October 15, 2020, if payment has not been made

to Concordia by that date and shall continue to accrue until payment is made. The parties state that they will not seek appeal of, reconsideration of, or relief from the Board's decision.

Decision

The Board **GRANTS IN PART** the appeal. Concordia shall be paid \$869,345.89 plus CDA interest to run from October 15, 2020, until payment is made.

Marian E. Sullivan
MARIAN E. SULLIVAN
Board Judge

We concur:

Erica S. Beardsley
ERICA S. BEARDSLEY
Board Judge

Beverly M. Russell
BEVERLY M. RUSSELL
Board Judge