



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: August 3, 2011

CBCA 2321

HPI/GSA PROPERTIES ONE, L.P.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Scott M. Heimberg and Andrea T. Vavonese of Akin Gump Strauss Hauer & Feld LLP, Washington, DC, counsel for Appellant.

Mel E. Myers, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

Before Board Judges **HYATT**, **GOODMAN**, and **McCANN**.

HYATT, Board Judge.

This appeal is from a contracting officer's decision denying a claim for \$249,161.01, plus interest, for operating cost adjustments under a lease of office space in Philadelphia, Pennsylvania. The parties have resolved their dispute and have submitted an executed copy of a joint motion for judgment on stipulated settlement in the amount of \$194,690.38, with payment to be made from the permanent indefinite judgment fund in accordance with 31 U.S.C. § 1304 (2006).

The parties stipulate that the judgment amount represents full and final settlement of the claim presented and is inclusive of all costs, attorney fees, and interest. The parties

further stipulate that they will not seek reconsideration of, or relief from, the Board's decision, and they will not appeal the decision.

Decision

Pursuant to the parties' motion, the appeal is **GRANTED IN PART**. The Board awards to HPI/GSA Properties One, L.P. the sum of \$194,690.38, to be paid from the permanent indefinite judgment fund. 31 U.S.C. § 1304; 41 U.S.C. § 7108 (as codified by Pub. L. No. 111-350, 124 Stat. 3677, 3816 (2011)).

CATHERINE B. HYATT
Board Judge

We concur:

ALLAN H. GOODMAN
Board Judge

R. ANTHONY McCANN
Board Judge