



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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GRANTED IN PART: October 8, 2020

CBCA 6460

ATHENA CONSTRUCTION GROUP, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Milton C. Johns and Jill F. Helwig of Executive Law Partners, PLLC, Fairfax, VA, counsel for Appellant.

Harold W. Askins III, Office of General Counsel, Department of Veterans Affairs, Charleston, SC; and David G. Fagan, Office of General Counsel, Department of Veterans Affairs, Portland, OR, counsel for Respondent.

Before Board Judges **SOMERS** (Chair), **BEARDSLEY**, and **O'ROURKE**.

**O'ROURKE**, Board Judge.

On September 23, 2020, the parties jointly moved for entry of a stipulated judgment for the above-captioned appeal, in the amount of \$19,000 (settlement amount), to be paid to appellant, Athena Construction, Inc. (Athena), through the permanent indefinite judgment fund in accordance with 31 U.S.C. § 1304 (2018). *See* 48 CFR 6101.25(b) (2019). Although the Board previously consolidated this appeal with CBCA 6723, this judgment only pertains to CBCA 6460.

In their joint motion, the parties stated that the settlement amount is inclusive of all costs, attorney fees, and interest claimed by Athena, and that Athena waives any further right it may have to claim for recovery of any interest, attorney fees, costs, or expenses it may have incurred in conjunction with this appeal. The parties also stated that they will not seek reconsideration of, or relief from the Board's decision, and they will not appeal the decision.

Decision

The Board **GRANTS IN PART** the appeal. Athena shall be paid \$19,000 inclusive of all costs, fees, and interest.

*Kathleen J. O'Rourke*  
KATHLEEN J. O'ROURKE  
Board Judge

We concur:

*Jeri Kaylene Somers*  
JERI KAYLENE SOMERS  
Board Judge

*Erica S. Beardsley*  
ERICA S. BEARDSLEY  
Board Judge