



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: September 23, 2009

CBCA 1615-ISDA

NORTHERN ARAPAHO TRIBE OF INDIANS,

Appellant,

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Respondent.

James J. Gallagher of McKenna Long & Aldridge LLP, Los Angeles, CA; and Andrew W. Baldwin of Baldwin, Crocker & Rudd, P.C., Lander, WY, counsel for Appellant.

Mechelle D. Johnson-Webb, Office of the General Counsel, Department of Health and Human Services, Rockville, MD; and Gary Fahlstedt, Office of the General Counsel, Department of Health and Human Services, Denver, CO, counsel for Respondent.

DANIELS, Board Judge (Chairman).

ORDER

A Department of Health and Human Services contracting officer issued a decision disallowing \$392,424 in costs charged to an Indian Self-Determination and Education Assistance Act contract held by the Northern Arapaho Tribe of Indians. The Tribe appealed this decision.

Subsequently, the contracting officer rescinded his decision and the parties, considering that the appeal had thereby been rendered moot, submitted a joint motion to dismiss it.

The motion is granted. The appeal is **DISMISSED WITH PREJUDICE**.

STEPHEN M. DANIELS
Board Judge