

TRI-STATE CONSTRUCTION

CONTRACT NO. V568C-295

**VABCA-4615**

VA MEDICAL CENTER  
FORT MEADE, SOUTH DAKOTA

*Wesley W. Buckmaster, Esq.*, Buckmaster and Macy, Belle Fourche, South Dakota, for the Appellant.

*Jeanne A. Anderson, Esq.*, Trial Attorney; *Philip S. Kauffman, Esq.*, Deputy Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

### **ORDER ENTERING JUDGMENT**

1. On November 4, 1996, the Department of Veterans Affairs and Appellant filed a JOINT MOTION FOR DISMISSAL WITH PREJUDICE. The MOTION encloses a SETTLEMENT AGREEMENT AND STIPULATION TO THE ENTRY OF JUDGMENT finally executed on November 4, 1996, entered into by the parties concerning VABCA-4615.
2. The parties recite that they have "agreed to compromise and settle" all claims and disputes which are the subject of VABCA4615 and jointly move that the Board enter Judgment in the amount of \$26,000 which includes all costs "whether direct or indirect, including delay, extended overhead, impact, interest and attorney fees."
3. Inasmuch as the parties have stipulated the equitable adjustments due Tri-State Construction in VABCA4615, their JOINT MOTION FOR DISMISSAL WITH PREJUDICE is **GRANTED**. Appellant is found entitled to \$26,000 pursuant to the terms and conditions of the SETTLEMENT AGREEMENT AND STIPULATION TO THE ENTRY OF JUDGMENT entered into by the parties.

**IT IS SO ORDERED**

DATE: **November 5, 1996**

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DAN R. ANDERS  
Administrative Judge