

THE CLARK CONSTRUCTION GROUP, INC.

CONTRACT NO. VIOIBC0036

**VABCA-5157-61
5265-5339**

VA MEDICAL CENTER
WEST PALM BEACH, FLORIDA

Axel Bolvig, III, Esq., Bradley, Arant, Rose & White, LLP, Birmingham, Alabama, for the Appellant.

Paul A. Embroski, Esq., Trial Attorney; *Charlma O. Jones, 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 June 12, 1997, the Board received the PARTIES' JOINT MOTION FOR JUDGMENT ON SETTLEMENT AGREEMENT. The motion encloses a SETTLEMENT AGREEMENT encompassing these appeals executed by the parties on June 11, 1997.
2. The parties recite that they have reached "amicable resolution" of the disputes which are the subject of these appeals and jointly move that the Board enter judgment in accordance with the terms of the Settlement Agreement in favor of the Appellant, Clark Construction Group, Inc. in the amount of \$550,000. The parties further recite that this settlement represents full and complete compensation for any claims encompassed within these appeals and each party completely releases the other from any further liability with the exception of Appellant's warranty or latent defect obligations for the work which is the subject of these appeals.
3. Inasmuch as the parties have fully resolved these appeals, the JOINT MOTION FOR JUDGMENT ON SETTLEMENT AGREEMENT is **GRANTED** and the appeals of Clark Construction Group, Incorporated, VABCA Nos. 5167-61 and 5265-5339, under Contract No. VIOIB0036 are SUSTAINED. Appellant is found entitled to a judgment of \$550,000 pursuant to the terms and conditions of the Settlement Agreement entered into by the parties.

IT IS SO ORDERED

DATE: June 13, 1997

RICHARD W. KREMPASKY
Administrative Judge