

WAYNE CROUSE, INC.

CONTRACT NO. V646C-1030

**VABCA-5430-5438 &
5441-5442**

VA MEDICAL CENTER
UNIVERSITY DRIVE
PITTSBURGH, PENNSYLVANIA

John T. Flynn, Esq., Smith, Currie & Hancock, LLP, Atlanta, Georgia,
for the Appellant.

Kenneth B. MacKenzie, Esq., Trial Attorney; *Charlma J. Quarles, Esq.*, Deputy
Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel,
Washington, D.C., for the Department of Veterans Affairs.

ORDER OF JUDGMENT

1. The Appellant and the Government have filed a Joint Motion For Judgment On Stipulated Settlement. The parties recite that in return for its receipt of \$589,410, Appellant will release the Government from any further claims arising from the facts and circumstances giving rise to the eleven captioned appeals. For its part, the Government releases Appellant from all liability under the captioned Contract, except which arise from latent construction defects and under any extended warranties if still in effect.

2. The Motion is *Granted*. The Government shall pay to Appellant the sum of \$589,410 in full satisfaction of any and all claims relating to VABCA-5430 through 5438, VABCA-5441, and VABCA-5442. This amount includes attorney's fees. Interest on the \$589,410 remains to be paid. It will be calculated from September 22, 1995, the date when the Contracting Officer received Appellant's certified claim, in accordance with the *Contract Disputes Act of 1978*, 41 U.S.C. § 601-613.

It Is So Ordered

Date: **October 16, 1998**

James K. Robinson
Administrative Judge