

ENVIRONMENTAL CONTROL  
& ABATEMENT, INC.

CONTRACT NO. V436C-256

**VABCA-6633**

VA MEDICAL & REGIONAL  
OFFICE CENTER  
FT. HARRISON, MONTANA

*William A. Lemire, President*, Environmental Control & Abatement, Inc.,  
Brentwood, Missouri, for the Appellant.

*Anna C. Maddan, Esq.*, Government Trial Attorney, San Francisco, California;  
*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 REINSTATING APPEAL  
AND  
ORDER ENTERING JUDGMENT**

1. The Board was informed that the parties had settled the matter and, on February 8, 2002, this appeal was dismissed with prejudice. The Board has now been informed that the dismissal was in error and that the parties seek an Order of Judgment. The parties have filed a JOINT MOTION FOR JUDGMENT ON STIPULATED SETTLEMENT. Accordingly, VABCA-6633 is **REINSTATED** to the active docket for the purpose of considering the Joint Motion.

2. On April 29, 2002, the Department of Veterans Affairs and Appellant filed a JOINT MOTION FOR JUDGMENT ON STIPULATED SETTLEMENT. The MOTION encloses a STIPULATION OF SETTLEMENT, dated February 17, 2002, entered into by the parties concerning VABCA-6633.

3. In the JOINT MOTION, the parties recite that they have reached "amicable resolution" of the issues, which are the subject of VABCA-6633 and jointly move that the Board enter Judgment in the amount of \$67,500, which "includes attorney fees under the Equal Access to Justice Act."

4. Inasmuch as the parties have stipulated the equitable adjustment due Environmental Control & Abatement, Inc. in VABCA-6633, their JOINT MOTION FOR JUDGMENT ON STIPULATED SETTLEMENT is **GRANTED**. Appellant is found entitled to \$67,500 pursuant to the terms and conditions of the STIPULATION OF SETTLEMENT entered into by the parties.

**IT IS SO ORDERED**

DATE: **May 1, 2002**

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WILLIAM E. THOMAS  
Administrative Judge