

Board of Contract Appeals
General Services Administration
Washington, D.C. 20405

GRANTED IN PART: January 5, 2005

GSBCA 16340

MAROUS BROTHERS CONSTRUCTION, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Jeffrey R. Appelbaum, Daniel M. Haymond, and John D. Myer of Thompson Hine LLP, Cleveland, OH, counsel for Appellant.

Jeremy Becker-Welts, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

Before Board Judges **NEILL**, **PARKER**, and **HYATT**.

NEILL, Board Judge.

This case concerns a claim for equitable adjustment brought by Marous Brothers Construction, Inc. (Marous Brothers) in conjunction with work it performed for the General Services Administration (GSA) under contract number GS-05P-99-GBC-0041. The contract is for new construction of the United States Courthouse in Cleveland, Ohio. The claim of Marous Brothers is for \$3,584,254 plus additional interest accruing from the date of claim submission.

Counsel for the parties have now filed with the Board a joint motion for entry of judgment. In this submission, counsel advise the Board that, to end this litigation, GSA has agreed to pay, and Marous Brothers has agreed to accept, the sum of \$1,580,000, inclusive of statutory interest and attorney fees as full settlement of the disputed items. Both parties represent and stipulate that they will not seek reconsideration of, or relief from, the Board's decision and that they will not appeal the Board's decision.

Pursuant to the agreement of the parties and Board Rule 136(e) (48 CFR 6101.36(e) (2003)), the Board adopts the parties' stipulation by decision. This appeal is **GRANTED IN**

PART in the amount of \$1,580,000.

EDWIN B. NEILL
Board Judge

We concur:

ROBERT W. PARKER
Board Judge

CATHERINE B. HYATT
Board Judge