

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

GRANTED IN PART: August 15, 2005

GSBCA 16414

XEROX CORPORATION,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Richard D. Lieberman and Karen R. O'Brien of McCarthy, Sweeney & Harkaway, P.C., Washington, DC, counsel for Appellant.

Michael J. Noble, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

Before Board Judges **DANIELS** (Chairman), **HYATT**, and **GOODMAN**.

DANIELS, Board Judge.

_____Xerox Corporation (Xerox) submitted to a General Services Administration (GSA) contracting officer a claim in the amount of \$2657.96, which according to the claim constitutes the value of unpaid charges for the use of a copier leased by the Government from Xerox. Xerox appealed the contracting officer's deemed denial of the claim.

GSA and Xerox have now filed a motion for a stipulated award in the amount of \$2000. In the motion, the parties state that \$2000 represents a fair and reasonable compromise of each party's position regarding the amount due. The parties agree that an

award of this amount by the Board will constitute full satisfaction of Xerox's claim, and that Xerox waives any demand for interest and attorney fees and costs with regard to this case. The parties also represent that they will not seek reconsideration of, or relief from, a Board decision awarding this amount, and that they will not appeal such a decision.

Decision

The appeal is **GRANTED IN PART**. The General Services Administration shall pay to Xerox Corporation \$2000. This amount shall be paid from the permanent indefinite judgment fund. 31 U.S.C. § 1304 (2000). No interest is due on this amount. Rule 136(e) (48 CFR 6101.36(e) (2004)).

STEPHEN M. DANIELS
Board Judge

We concur:

CATHERINE B. HYATT
Board Judge

ALLAN H. GOODMAN
Board Judge