

<b>CONTINENTAL INSURANCE COMPANY/</b>	)	<b>AGBCA No. 98-176-F</b>
<b>CNA INSURANCE COMPANIES,</b>	)	
	)	
Appellant	)	
	)	
<b>Representing the Appellant:</b>	)	
	)	
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**DECISION OF THE BOARD OF CONTRACT APPEALS**

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 July 20, 1999  
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**OPINION BY ADMINISTRATIVE JUDGE ANNE W. WESTBROOK**

On June 2, 1998, the Board received this appeal from Continental Insurance Company/CNA Insurance Companies (Continental or Appellant). The appeal arises out of a Standard Reinsurance Agreement (SRA) with the Federal Crop Insurance Corporation (FCIC or Government). It involves Compliance Case No. KC-CI00-366. Under the SRA, Appellant sells and administers Multi-Peril Crop Insurance contracts in furtherance of the Government's crop insurance program. The compliance case involves the Nationwide Operational Review to assess Continental's performance in fulfilling the terms and conditions of their 1993 SRA and Plan of Operation.

At issue is the April 1, 1998 Final Administrative Determination upholding the March 3, 1997 "final determination" that Continental was indebted to FCIC in the amount of \$869,754 for failure to comply with the provisions of the 1993 insurance year SRA. Company operations areas found to

be in noncompliance included agent training; loss adjustment training; sales representative evaluations; loss adjustment reviews; Actual Production History (APH) reviews; underwriting and policy administration; civil rights and drug free awareness programs; licensing and conflict of interest violations of the SRA and various agency/field office concerns. The compliance case also involves FCIC findings of error in a random policy review.

The Board has jurisdiction pursuant to regulations, 7 C.F.R. § 400.169(d) and 7 C.F.R. § 24.4(b).

After docketing, the parties elected the Board's Alternative Disputes Resolution (ADR) procedures to resolve their disputes by use of non-binding mediation. Accordingly, on May 11, 1999, the parties engaged in a mediation with a Board judge attending. The mediation resulted in a settlement of the dispute. Continental Insurance Company/CNA Insurance Companies (1993 Nationwide Operations Review), Party to Alternative Dispute Resolution, AGBCA No. 99-114-ADR, 1999 WL 301207. The parties have now submitted to the Board a Stipulation of Dismissal with Prejudice dated June 2, 1999, and signed by counsel for both parties.

**DECISION**

In accordance with the request of the parties, the appeal is dismissed with prejudice.

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**ANNE W. WESTBROOK**

Administrative Judge

**Concurring:**

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**EDWARD HOURY**

Administrative Judge

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**HOWARD A. POLLACK**

Administrative Judge

**Issued at Washington, D.C.**

**July 20, 1999**