

CURT MADSON, JR.,)	AGBCA No. 99-144-1
)	
Appellant)	
)	
Representing the Appellant:)	
)	
Curt Madson, Jr.)	
1442 N.W. Quincy)	
Bend, Oregon 97701-1527)	
)	
Representing the Government:)	
)	
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DECISION OF THE BOARD OF CONTRACT APPEALS

June 3, 1999

OPINION BY ADMINISTRATIVE JUDGE ANNE W. WESTBROOK

On February 16, 1999, Curt Madson, Jr., of Bend, Oregon, filed this appeal with the Board regarding the termination for default of Forest Service Contract No. 53-04KK-8-18, an indefinite quantity contract for a reforestation stocking survey. After completing Task Order 1, Appellant failed to perform Task Order 2, later contending that the Task Order required work on 995 plots covering 1,479 acres, when the contract allowed only 1 plot per acre. The contract required work in the Burns Ranger District, Malheur National Forest, John Day, Oregon. Appellant appealed the termination for default and claimed \$859.50 withheld by the Forest Service.

The Board has jurisdiction over this timely appeal pursuant to the Contract Disputes Act (CDA), 41 U.S.C. §§ 601-613, as amended.

On May 16, 1999, after the Government had filed its Answer, the Board received from Government counsel a copy of a settlement agreement requesting that the Board dismiss with prejudice.

DECISION

Pursuant to the request of the parties, the Board dismisses the appeal with prejudice.

ANNE W. WESTBROOK
Administrative Judge

Concurring:

EDWARD HOURY
Administrative Judge

HOWARD A. POLLACK
Administrative Judge

Issued at Washington, D.C.
June 3, 1999