

RURAL COMMUNITY INSURANCE SERVICES,)	AGBCA No. 98-148-F
(Donald Bowen))	
)	
Appellant)	
)	
Representing the Appellant:)	
)	
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DECISION OF THE BOARD OF CONTRACT APPEALS

May 4, 1999

OPINION BY ADMINISTRATIVE JUDGE JOSEPH A. VERGILIO

On February 9, 1998, the Board received this appeal from Rural Community Insurance Services (Appellant), of Anoka, Minnesota, involving a Standard Reinsurance Agreement (SRA) with the Federal Crop Insurance Corporation (FCIC or Government). Under the SRA, Rural sells and services multiple peril crop insurance policies. The Government concluded that Rural is liable for \$9,348 as an overpayment of an indemnity for tobacco from the 1995 crop year to policyholder Donald Bowen (compliance case RA-EFNC-342; Policy No. 95-32-836-173783). Rural maintains that the Government determination was erroneous.

By regulation, 7 C.F.R. §§ 24.4(b), 400.169(a)-(d), the Board has jurisdiction over this appeal. A complaint and amended complaint were filed and served. During a conference call with the Board in February 1999, the parties indicated that they had resolved the dispute, but had yet to get approval of the settlement. On March 16, 1999, the Board received a copy of the settlement and release

regarding the underlying compliance case, and a request to dismiss the matter with prejudice. The agency has withdrawn and dismissed the determination that Rural is indebted to the FCIC or Risk Management Agency in the amount of \$9,348. The agreement further mutually releases the parties regarding all matters relating to the insurance of Donald Bowen during the 1995 crop year and attorney fees, damages, costs, or expenses incurred in connection with or as a result of the matter before the Board.

DECISION

In light of the settlement and request to dismiss, the Board dismisses with prejudice the appeal.

JOSEPH A VERGILIO
Administrative Judge

Concurring:

EDWARD HOURY
Administrative Judge

ANNE W. WESTBROOK
Administrative Judge

Issued at Washington, D.C.
May 4, 1999