

GEORGE HEPPNER,)	AGBCA No. 2003-177-2
)	
Appellant)	
)	
Representing the Appellant:)	
)	
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DECISION OF THE BOARD OF CONTRACT APPEALS

January 22, 2004

Opinion for the Board by Administrative Judge WESTBROOK.

This appeal arises out of Emergency Equipment Rental Agreement (EERA) No. 56-00M0-2-112, between George Heppner, of Eagle Point, Oregon (Appellant), and the U.S. Department of Agriculture, Forest Service, Siskiyou National Forest (FS or the Government). Appellant appeals a decision of the Contracting Officer (CO) dated April 30, 2003, denying his claim of \$32,184 for having worked double shifts under the subject EERA. The timely appeal was received at the Board July 18, 2003.

The Board has jurisdiction to hear this appeal pursuant to the Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613, as amended. Appellant elected to proceed under Board Rule 12 with the decision to be rendered for the Board by a single judge.

A hearing was held on November 4, 2003, in Medford, Oregon. At the close of the hearing, the parties informed the Board that the appeal had been settled. The Board has now been furnished a copy of the Settlement Agreement executed by both parties. Appellant has requested that the Board

dismiss the appeal as fully settled.

DECISION

The parties, having settled the appeal, the Board hereby dismisses it with prejudice.

ANNE W. WESTBROOK

Administrative Judge

Issued at Washington, D.C.

January 22, 2004