

ARMED SERVICES BOARD OF CONTRACT APPEALS

Gideon Contracting, LLC

ASBCA No. 63561-EAJA · No. ASBCA No. 63561-EAJA · Decided March 30, 2026

SUMMARY

The Armed Services Board of Contract Appeals dismissed with prejudice Gideon Contracting, LLC’s application for attorney fees and costs under the Equal Access to Justice Act. The dismissal followed settlement of the dispute.

CASE DETAILS

COURT	Armed Services Board of Contract Appeals
WRITING FOR THE COURT	Mark A. Melnick
JURISDICTION	Armed Services Board of Contract Appeals
DECIDED	March 30, 2026
DOCKET	ASBCA No. 63561-EAJA
DISPOSITION	dismissed
PROCEDURAL POSTURE	Gideon Contracting, LLC applied for attorney fees and costs under the Equal Access to Justice Act in connection with a government-contract dispute. After the dispute was settled, the Board dismissed the fee application with prejudice.
PRECEDENTIAL VALUE	published
PARTIES	Gideon Contracting, LLC v. United States

TOPICS

- government contracts
- remedies

PRACTICE AREAS

- government contracts
- administrative law
- remedies

QUESTIONS PRESENTED

1. Whether the pending application for attorney fees and costs should be dismissed after settlement of the underlying dispute.

HOLDINGS

- 1. Because the dispute had been settled, the application for attorney fees and costs was dismissed with prejudice.

KEY QUOTATIONS

“The dispute has been settled. The application for attorney fees and costs is dismissed with prejudice.” (2)

FACTUAL BACKGROUND

The matter arose from a government contract identified as Contract No. W912BV-20-D-0041 and Task Order No. W912BV-20-F-0139. Gideon Contracting, LLC sought attorney fees and costs under the Equal Access to Justice Act. The underlying dispute was settled.

PROCEDURAL HISTORY

The matter came before the Armed Services Board of Contract Appeals as an application for attorney fees and costs under the Equal Access to Justice Act. The underlying dispute was settled, and the Board dismissed the application with prejudice.

DISPOSITION

dismissed

OPINION

Gideon Contracting, LLC

PER CURIAM.

ARMED SERVICES BOARD OF CONTRACT APPEALS

Application Under the Equal Access) to Justice Acts of -)) Gideon Contracting, LLC) ASBCA No. 63561-EAJA) Under Contract No. W912BV-20-D-0041) Tasked Order No. W912BV-20-F-0139) APPEARANCES FOR THE APPELLANT: Robert L. Magrini, Esq. Evan B. Gatewood, Esq. Hayes Magrini & Gatewood Oklahoma City, OK APPEARANCES FOR THE GOVERNMENT: Michael P. Goodman, Esq. Engineer Chief Trial Attorney Stephanie J. Milburn, Esq. Engineer Trial Attorney U.S. Army Engineer District, Tulsa

ORDER OF DISMISSAL

The dispute has been settled. The application for attorney fees and costs is dismissed with prejudice. Dated: March 30, 2026

MARK A. MELNICK

Administrative Judge Armed Services Board of Contract Appeals I certify that the foregoing is a true copy of the Order of Dismissal of the Armed Services Board of Contract Appeals in ASBCA No. 63561-EAJA, Appeal of Gideon Contracting, LLC, rendered in conformance with the Board’s Charter. Dated: March 30, 2026

PAULLA K. GATES-LEWIS

Recorder, Armed Services Board of Contract Appeals 2

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