

UNITED STATES GENERAL SERVICES ADMINISTRATION
CIVILIAN BOARD OF CONTRACT APPEALS

ARCTIC SLOPE NATIVE ASSOCIATION,
LTD.

Appellant,

MICHAEL O. LEAVITT, SECRETARY, U.S.
DEPARTMENT OF HEALTH AND HUMAN
SERVICES; CHARLES GRIM, DIRECTOR,
INDIAN HEALTH SERVICE; UNITED
STATES OF AMERICA

Appellees.

IBCA Nos. 4794-4803/06

ISDA Contract No. 243-96-6025

ISDA Compact No. 58G980054

APPELLEE'S MOTION FOR SUMMARY JUDGMENT

Appellee Indian Health Service (IHS) respectfully moves for summary judgment with respect to liability in favor of IHS for Arctic Slope Native Association, Ltd.'s (ASNA) First Cause of Action.

The IHS has already moved to dismiss ASNA's claims for lack of jurisdiction. By this reference, this motion incorporates those arguments as set forth in past briefing. IHS is entitled to summary judgment because IHS has no further obligation under the law or its agreements with ASNA to provide additional contract support cost funding. Moreover, ASNA has no legal entitlement to funds not contained in the four corners of the agreements.

By this Motion, IHS seeks a ruling that it has no further liability with respect to contract support costs to ASNA for the fiscal years at issue in this Appeal. In support of this Motion, IHS respectfully refers to the Board to all previously filed memorandum.

Respectfully submitted,

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Dated: April 11, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Indian Health Service's Motion for Summary Judgment was sent via email and fed ex this 11nd day of April, 2007 to:

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