



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

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BOARD OF CONTRACT APPEALS
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Office of the General Counsel

Public Health Division
Room 4A-53, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20857
(301) 443-2644
(301) 443-2639 - Fax

December 1, 2006

*Grant
12/5/06*

By Fax and Mail: (703) 235-1281

The Honorable Candida S. Steel
Chief Administrative Judge
Interior Board of Contract Appeals
801 North Quincy Street, Suite 300
Arlington, Virginia 22203

Re: Appeals of the Council of Athabascan Tribal Governments,
IBCA Nos. 4857-2006 to 4861-2006

Dear Judge Steel:

Please find enclosed a Notice of Appearance, Unopposed Motion to Stay and Extend Time, and Certificate of Service.

Please contact the undersigned counsel if you have any questions or perceive any problem.

Respectfully submitted,

Jocelyn S. Beer

Jocelyn S. Beer
Counsel for the Government Appellee

cc: Geoffrey D. Strommer
Stephen D. Osborne
Counsel for Appellant

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARING AND APPEALS
Interior Board of Contract Appeals
801 N. Quincy St., Suite 300
Arlington, VA 22203

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BOARD OF CONTRACT APPEALS

)	
COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS,)	IBCA 4857-2006
)	IBCA 4858-2006
)	IBCA 4859-2006
Appellant,)	IBCA 4860-2006
v.)	IBCA 4861-2006
)	
INDIAN HEALTH SERVICE, Dr. Charles Grim, Director,)	APPELLEE'S UNOPPOSED MOTION TO STAY AND EXTEND TIME
)	
Appellee.)	
)	

Appellee Indian Health Service (IHS) moves to stay these proceedings for the following reasons:

1. On November 1, 2006, Appellant Council of Athabascan Tribal Governments (CATG) filed its Notice of Appeal of contracting officer decisions denying its claims for fiscal years (FY) 1996 and 1997. CATG also appealed claims it had submitted to IHS for FY 1998-2000 and asserted that this Board had jurisdiction over these claims because no contracting officer decision had been issued within a reasonable time.

2. Counsel for Appellee received a copy of the notice of appeal and complaint on November 7, 2006. Under 43 C.F.R. § 4.107(b), Appellee's answer would be due December 6, 2006.

3. Appellee asks that the Board stay these proceedings under 41 U.S.C. 605(c)(5) until December 22, 2006, to allow it to issue contracting officer decisions in response to CATG's

claims for FY 1998-2000. Issuing contracting officer decisions would provide information that may assist the parties in narrowing the issues in dispute before the Board.

4. Appellee further requests that the Board allow it to submit its Answer on December 22, 2006.

5. Should Appellant wish to amend its Complaint in light of the contracting officer decisions, Appellee would not object but would ask that it be allowed to amend its Answer accordingly.

6. Counsel for Appellee has conferred with Counsel for Appellant and is authorized to state that Appellant does not object to this motion.

Respectfully submitted,



Jocelyn S. Beer
U.S. Department of Health &
Human Services
Office of the General Counsel,
Public Health Division

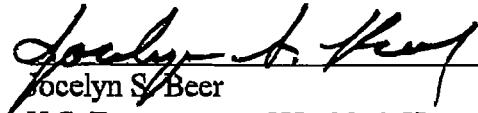
Counsel for Government Appellee

CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2006, I caused a copy of the foregoing Notice of Appearance and Motion to Stay and Extend Time to be served upon counsel for Appellant by first class mail and facsimile addressed to:

Geoffrey D. Strommer
Stephen D. Osborne
Hobbs, Straus, Dean & Walker, LLP
806 SW Broadway, Suite 900
Portland, OR 97205

Executed at Rockville, Maryland, on December 1, 2006.



Jocelyn S. Beer

U.S. Department of Health & Human Services
Office of the General Counsel



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To: The Honorable Candida Steel, Chief Judge
Interior Board of Contract Appeals

Telephone: (703) 235-3813
Facsimile: (703) 235-1281

From: Jocelyn Beer
Office of the General Counsel

Telephone: (301) 443-8220
Facsimile: (301) 480-2161

Date: December 1, 2006

Total Pages: cover + 4

Comments: Appeals of Council of Athabascan Tribal Governments,
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Please find attached a Notice of Appearance and Unopposed Motion to Stay and Extend Time.