

**Board of Contract Appeals**  
General Services Administration  
Washington, D.C. 20405

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DISMISSED: April 6, 2004

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GSBCA 16173-TD, 16251-TD

PEOPLESOFT USA, INC.,

Appellant,

v.

DEPARTMENT OF THE TREASURY,

Respondent.

Joseph J. Petrillo and Karen D. Powell of Petrillo & Powell, P.L.L.C., Washington, DC, counsel for Appellant.

Lori R. Larson and Holly L. Hagen, General Legal Services, Office of Chief Counsel, Internal Revenue Service, Department of the Treasury, Washington, DC, counsel for Respondent.

**DANIELS**, Board Judge (Chairman).

**ORDER**

PeopleSoft USA, Inc. granted to the Department of the Treasury a license to use various PeopleSoft software products, including Human Resources and Payroll Interface software.

After some Treasury bureaus were transferred to other Government departments, those bureaus continued to use the PeopleSoft products. PeopleSoft USA claimed that under the terms of the license, those bureaus were not entitled to do this, and that Treasury owed \$979,210 for the continued use. The contracting officer denied this claim. PeopleSoft USA appealed her decision, and the Board docketed the appeal as GSBCA 16173-TD.

Separately, PeopleSoft USA alleged that Treasury had improperly used PeopleTools, the use of which was restricted by the license, to build and implement new applications. PeopleSoft USA asked that Treasury cease using or developing applications which violate the restriction, or alternatively, purchase a license which would permit such use. PeopleSoft

claimed that the value of such a license was \$1,913,600 (including the first year's maintenance), plus \$765,440 for maintenance during the preceding period. The contracting officer denied this claim as well. PeopleSoft USA appealed her decision, and the Board docketed the appeal as GSBCA 16251-TD.

Following lengthy negotiations, the parties agreed on a settlement which resolves both GSBCA 16173-TD and GSBCA 16251-TD. PeopleSoft USA, with the concurrence of Treasury, moved that the appeals be dismissed.

Accordingly, the appeals are **DISMISSED**.

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STEPHEN M. DANIELS  
Board Judge